

Court No. - 40

Case :- WRIT - C No. - 38009 of 2023

Petitioner :- C/M Waqf Madina Masjid And Another

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Rizwan Ahmad(Qureshi),Hina Shafiq

Counsel for Respondent :- CSC,Punit Kumar Gupta

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner; Sri Punit Kumar Gupta, learned counsel for the respondent no. 5 and Sri Devesh Vikram, learned Additional Chief Standing Counsel for the State respondent.
2. Petitioner-Committee of Management Waqf Madina Masjid, Waqf No. 5631, Moradabad through its Secretary is before this Court with a request commanding the respondent no. 3 i.e. Sub Divisional Magistrate, Kant, Moradabad not to interfere in the peaceful practice of performing Namaz by the petitioner and muslims of village Jamalpur Munda Nagla falling under Police Station Chhalet, Tehsil Kant, District Moradabad in the Madina Masjid.
3. Learned counsel for the petitioner confined his prayer that he has already moved a detailed representation to the respondent no. 2 i.e. District Magistrate, Moradabad on 12.9.2023 for redressal of his grievance but no action has been taken by the competent authority till date.
4. Learned Standing Counsel very fairly states that in case any such representation is still pending and has not been disposed of, the same will be considered and decided expeditiously.
5. In view of the above, on consent and without expressing any opinion on the merits of the issue and considering the facts and circumstances of the case, this writ petition is disposed of finally asking the petitioner to move a fresh representation before the respondent ventilating his grievance within two weeks from today and in case any such representation is being preferred definitely the same would be looked into, examined and remedied strictly in accordance with law within six weeks thereafter but certainly after taking necessary comments from the Sub Divisional Magistrate Kant, Moradabad/respondent no. 4 and Senior Superintendent of Police, Moradabad/respondent no. 3.

Order Date :- 3.11.2023

A.K.Srivastava