HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Misc. Writ Petition No. 15500/2026
CNR: RJHC020708022026 | URN: CW / 32948U / 2026

1. Mohammed Ashfaq Khan S/o Late Sh. Mohammed Ismail Khan, aged 68 Years, Resident of 35 Kidwai Nagar, Imliwala Phatak, Jaipur 302015
2. Mohammed Hanif S/o Late Sh. Mohammad Ishaq, aged 78 Years, Resident of 33, Imliwala Phatak, Jaipur- 30215
3. Tahir Ali Zaidi S/o Sh. Umrao Ali, Aged 86 Years, Resident of Plot No. 7, Kidwai Nagar, Jaipur- 302015

----Petitioners/Plaintiffs No. 1 to 3

Versus

1. Management Committee, Majid Kidwai Nagar, Imliwala Phatak, Jaipur- 302015 Ttrough Secretary Shri Abdul Majid Resident of 9, Natraj Nagar, Jaipur- 302015
2. Shri Shahabuddin S/o Late Shri Sarfuddin, Resident of 45 Kidwai Nagar Jaipur- 302015
3. Shri Abdul Majid, Resident of 9, Natraj Nagar, Jaipur- 302015
4. Rajasthan Board of Muslim Waqf, Jyoti Nagar, Jaipur Through Chief Executive Officer.

----Respondents

For Petitioner(s) : Ms. Rekha Jain
Ms. Shama Khan

For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA
Order

14/08/2026

1. Learned counsel for the petitioners submitted that petitioners have filed suit No.112/2022 before the Waqf Tribunal, Jaipur and to rectify the bona fide clerical error, one application under Order 6 Rule 17 of CPC was filed for seeking amendment in the plaint to the extent that instead of defendant Nos.2 & 3, it should be read as defendant Nos.1 to 3. Learned counsel submits

that the application was filed on 18.04.2024, however, despite lapse of more than 2 years, it has not been decided by the Waqf Tribunal, Jaipur and unnecessary adjournments are being granted. In support of contents of writ petition, order-sheets of Waqf Tribunal has also been placed on record.

2. Heard learned counsel for the petitioners and perused the record.

3. The only grievance raised by the petitioners is with regard to pendency of application under Order 6 Rule 17 for last more than 2 years and a limited prayer has been made to direct the Waqf Tribunal to decide the said application expeditiously and in time bound manner.

4. In view of above, where it becomes clear from perusal of application under Order 6 Rule 17 that merely correction of clerical error has been sought, there appears to be no justified reason in keeping the application pending for more than 2 years. Under these circumstances, this Court deems it just and proper to dispose of this writ petition with direction to Waqf Tribunal, Jaipur to consider the application under Order 6 Rule 17 filed by the petitioner/plaintiff in expeditious manner and make an endeavour to decide it within a period of 2 months from the date of receipt of certified copy of this order strictly in accordance with law and after affording opportunity of hearing to the parties.

5. Pending application(s), if any, shall also stand(s), disposed of.

(ANAND SHARMA),J

6/NEERU