

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CIVIL REVISION APPLICATION NO.134 OF 2014

Hajimiya s/o Abdul Kadar Quereshi,
Age-50 years, Occu:Business,
R/o-Narayangaon, Tq-Junnar,
Dist-Pune.

...APPLICANT

VERSUS

- 1) Smt. Shehzadi w/o Mohd. Yusuf
Ismail Faqeer,
Age-60 years, Occu:Household,
- 2) Mohd. Nazeer s/o Mohd. Yusuf
Ismail Faqeer,
Age-47 years, Occu:Business,
- 3) Papa Miya Mohd. Ismail Faqeer,
Deceased through LR's:
 - 3-A) Jgaurybbusa w/o Papa Miya Fakir,
Age-47 years, Occu:Household,
 - 3-B) Ibrahim s/o Papa Miya Fakir,
Age-30 years, Occu:Driver,
 - 3-C) Nafeesa d/o Papa Miya Fakir,
Age-26 years, Occu:Household,
- 4) Rasheed s/o Chand Faqeer,
Age-47 years, Occu:Business,
- 5) Bashir s/o Chand Faqeer,
Age-52 years, Occu:Business,

- 6) Mohd. Hamid Mohd. Ismail
Chand Faqeer,
Age-52 years, Occu:Business,
- 7) Sadeq s/o Ahmed Faqeer,
Age-47 years, Occu:Business,

All R/o- Narayangaon, Tq-Junnar,
Dist-Pune,

- 8) The Chief Executive Officer,
Maharashtra State Wakf Board,
Panchakki, Aurangabad.

...RESPONDENTS

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Mr. Mobin H. Shaikh Advocate for Applicant.
Mr.Ajeed D. Kasliwal Advocate for Respondent
Nos. 1 to 7.
Mr. Sameer S. Patel Advocate for Respondent
No.8.

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CORAM: A.I.S. CHEEMA, J.

DATE : 9TH JANUARY, 2015

ORAL ORDER :

1. Heard learned counsel for Applicant,
learned counsel for Respondent Nos.1 to 7 as well
as learned counsel for Respondent No.8, finally
with consent.

2. It appears that the Chief Executive Officer, Maharashtra State Wakf Board has passed orders on 18th April, 2007 invoking powers under Section 54 of the Wakf Act, 1995. According to the learned counsel, at that time Chief Executive Officer had power to himself get the encroachment removed. Learned counsel for Applicant referred to the documents to show that the Respondent Nos. 1 to 7 were the encroachers on the suit property.

3. After arguments to above effect, Counsel for both sides discussed and learned counsel for both sides agree that Wakf Suit No.52 of 2007 was filed in the year 2007 and since then temporary injunction order has been operating against the Applicant and Respondent No.8. Counsel for both sides agree that if the Wakf Tribunal is directed to dispose of the said Suit within six months, cause of justice can be served. It is stated at Bar that issues have already been framed and the Suit is ready for evidence. Both the sides agree

to co-operate before the Wakf Tribunal for early disposal of the Suit.

4. In view of the submissions made above, present Civil Revision Application is disposed of with direction to the Wakf Tribunal to expedite the hearing of the Wakf Suit No.52 of 2007 (Smt. Shehzadi w/o Mohd. Yusuf Ismail Faqeer and others vs. Chief Executive Officer, Maharashtra State Wakf Board) and try to dispose of the Suit within SIX MONTHS from today.

5. Civil Revision Application stands disposed of, accordingly.

[A.I.S.CHEEMA,J.]