

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.3035 OF 2016

Maksood S/o. Abdul Rahman Mujawar,
Age-60 Years, Occu:Mujawar,
R/o-Khed Shivapur, Tq-Haveli,
Dist-Pune
and another.

...PETITIONERS

VERSUS

Maharashtra State Board of Wakf,
Through its
Chief Executive Officer,
At Panchakki, Aurangabad,
Tq. and Dist-Aurangabad,
and Others.

...RESPONDENTS

...
Mr. S.A.G. Qureshi Advocate for Petitioners.
...

**CORAM: S.V. GANGAPURWALA AND
A.I.S. CHEEMA, JJ.**

DATE : 14TH MARCH, 2016

ORDER :

1. Mr Qureshi, learned counsel for the
Petitioners states that Wakf Tribunal has already

passed an order on 10th February 2012, directing the Wakf Board to appoint a full-fledged Board of Mutwalli. The Wakf Board was required to implement the said order within 60 days. However, as yet, no Board of mutawalli is constituted.

2. As per Section 83(8) of the Wakf Act, 1995 the said order has got force of decree and can be executed as a decree of the Civil Court. Petitioner No.1 is Applicant No.1 before the Wakf Tribunal in Wakf Application No.42 of 2011.

3. In light of that, Petitioner can invoke remedy under Section 83(8) of the Wakf Act. Writ Petition disposed of. No costs.

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

asb/MAR16

[S.V. GANGAPURWALA, J.]