

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3249 OF 2016

1. Dudhadhari @ Kathada @ Kagzipura
Masjid Trust, Nasik through its
Trustee and others .. Petitioners

Versus

1. Uttam S/o Nabhaji Mahale and others .. Respondents

Shri S. B. Talekar, Advocate for Petitioners.

Shri S. A. Khan, Advocate for Respondent Nos. 1 to 6.

Shri P. M. Shah, Senior Advocate i/by Shri Gulam Dastgir
Shaikh, Advocate for the Respondent No. 7.

Shri S. V. Dixit, Advocate for Respondent Nos. 8 and 9.

Shri A. B. Girase, Govt. Pleader for the Respondent No. 10.

**CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.**

DATE : 30TH MARCH, 2016.

PER COURT :

. The learned counsel for respondents raise a preliminary objection that, the petitioners have an alternate remedy before the Wakf Tribunal.

2. In the light of that, though Mr. Talekar, the learned counsel for petitioners sought to canvass submissions on merits of the matter, we are not inclined to consider the same.

3. We dispose of the writ petition with liberty to petitioners to avail alternate remedy. All contentions of respective parties are kept open. The Forum where the proceedings would be filed shall consider the time spent in prosecuting the present writ petition.

4. The parties to act on authenticate copy.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]