

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

22 CRA NO. 184 OF 2014

AFZALKHAN DILAWARKHAN AND OTHERS
VERSUS
SHAIKH LATIF SHAIKH KHAJA AND OTHERS

...

Advocate for Petitioners : Imale Ramesh R.
Advocate for Respondents 1, 2, 3, 5, 7, 11 & 13 : Mrs. S.D.
Tambat-Dhumal

...

CORAM : T.V. NALAWADE, J.
DATED : 25th April, 2016.

ORDER :

1. Heard both the sides. It appears that the order of eviction made u/s. 54 of Waqf Act, 1995 against the original plaintiffs is challenged in the suit and in that suit, application at Exh. 5 is moved for relief of temporary injunction. On that application, order is made by the Chief Officer and the Board is prevented from taking over the possession. In view of the provision as amended in the year 2013 and as substantive right is given to the party to challenge the order made by the Chief Officer of removal of encroachment and also right to file suit for declaration of right, this Court holds that the purpose of the original defendant will be served if direction is given to Waqf Tribunal to expeditiously dispose of the suit.

2. So, the revision is disposed of as dismissed with direction to Tribunal to expeditiously dispose of the suit and in any case, within four months from the date of receipt of this order.

[T.V. NALAWADE, J.]

ssc/