

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

WRIT PETITION NO. 12593 OF 2016

**MASJID NOOR E ISLAM, THROUGH ITS PRESIDENT -
SHAIKH KALIM HAZI ABDUL RAJJAK**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr.P.B.Pawar, Advocate for petitioner

Mr.Y.G.Gujrati, AGP for respondent nos.1 to 3

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**CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.**

DATE : DECEMBER 20, 2016

PER COURT :

Heard.

2. Admittedly, the religious structure raised has been declared as illegal one. According to the petitioner, a proposal is moved before the State Government for regularisation of the structure and the same is pending. The petitioner claims protection under the Government Resolution dated 05.05.2011 issued by the Home Department, Government of Maharashtra, Mantralaya, Mumbai. The

said Government Resolution contemplates regularisation of the religious structures constructed prior to 29.09.2009 on satisfaction of certain preconditions. It is the contention of the petitioner that although the proposal is moved, the State Government has not taken any decision.

3. It would be open for the petitioner to move the State Government for appropriate decision on the said proposal in respect of regularisation of the structure, allegedly raised.

4. With liberty as aforesaid, the Writ Petition stands disposed of.

[SANGITRAO S. PATIL, J.]

[R.M. BORDE, J.]