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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 12348/2015 & CM No.32805/2015 (for stay)

UNITED FRONT FOR THE PROTECTION
AND WELFARE OF AUQAF (REGD.)

..... Petitioner

Through: Mr. Mumtaz Ahmad Chawla,
President of petitioner-in-person.

Versus

THE LIEUTENANT GOVERNOR OF DELHI
AND ANR

..... Respondents

Through: Mr. Naushad Ahmed Khan, Adv. for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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15.01.2016

1. The petition impugns the supersession of the Delhi Waqf Board and seeks stay of the elections scheduled to be held of the members of the new board being constituted.
2. The President of the petitioner Mr. Mumtaz Ahmad Chawla appears in person and has been heard.
3. I have brought to the notice of the President of the petitioner that Ms. Rana Parween Siddiqui, Chairperson of the Delhi Waqf Board which was superseded has filed W.P.(C) No.10047/2015 titled ***Delhi Waqf Board Vs. Union of India*** and which writ petition was accompanied with an application for interim relief and which application was dismissed vide order dated 18th November, 2015.
4. The counsel for the respondents Govt. of NCT of Delhi (GNCTD) appearing on advance notice also informs that LPA No.861/2015 titled ***Rana***
W.P.(C) 12348/2015

Parween Siddiqui Vs. Union of India preferred against the said order has been dismissed by a Division Bench of this Court.

5. I have thus enquired that how this petition, when the petitioner does not appear to be concerned, is maintainable.

6. Mr. Mumtaz Ahmad Chawla has argued that it was at the instance of the petitioner that in the years 2007 and 2010 the Delhi Waqf Board was reconstituted and the petitioner is thus a concerned person. It is further stated that the petitioner is a society working for the welfare and protection of Waqfs (Auqaf) and is concerned because the decision to dissolve the Delhi Waqf Board is a political one, not on the grounds on which alone such a decision could have been taken and not by the respondent GNCTD which alone is empowered to take the decision.

7. All the aforesaid issues have already been raised in the aforesaid pending writ petition.

8. In this view of the matter, this petition is found to be not maintainable.

9. The petitioner could file such a petition only by way of Public Interest Litigation (PIL) and in accordance with the Rules thereof. However, since the issue has already been raised in an inter-parties proceeding as aforesaid, the need for allowing the petition to be converted into a PIL also is not felt.

10. Dismissed.

No costs.

RAJIV SAHAI ENDLAW, J.

JANUARY 15, 2016

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