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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1740 of 2014**

Dilip Kumar Sriwas S/o Late Premlal Sriwas Aged About 61 Years R/o Shop No. 01 Old No. 24, Hazrat Fateh Shah Majaar & Masjid Trust Committee Police Line Tikrapara Raipur Tahsil & Distt. Raipur Civil & Revenue Distt. Raipur C.G.

---- Petitioner

Versus

1. Hazrat Fateh Shah Majaar & Masjid Trust Committee And Ors. S/o Through Mutwalli, Police Line Tikrapara Raipur Tah. & Distt. Raipur C.G.
2. The Chief Executive Officer Chhattisgarh State Wakf Board Raipur, Tahsil & Distt. Raipur C.G.
3. The Sub Divisional Officer Assistant Survey Commissioner Wakf Tah & Distt. Raipur C.G.

---- Respondents

And**WPC No. 1739 Of 2014**

Abdul Majid Khan S/o Late Miya Khan Aged About 53 Years Howrah Motors R/o Tikrapara Raipur Shop No. 22 & 49 Old No. 21 & 45, Hazrat Fateh Shah Majaar & Masjid Trust Committee Police Line Tikrapara Raipur Tahsil & Distt. Raipur Civil & Revenue Distt. Raipur C.G.

---- Petitioner

Vs

1. Hazrat Fateh Shah Majaar & Masjid Trust Committee And Ors. S/o Through Mutwalli, Police Line Tikrapara Raipur Tah. & Distt. Raipur C.G.
2. The Chief Executive Officer Chhattisgarh State Wakf Board Raipur, Tahsil & Distt. Raipur C.G.
3. The Sub Divisional Officer Assistant Survey Commissioner Wakf Tah & Distt. Raipur C.G.

---- Respondent

And**WPC No. 1741 Of 2014**

Mohd.Saeed Rauf S/o Lt Abdul Rauf Aged About 66 Years Through Power Of Attorney Holder Mohammed Naushaad, S/o Mohd. Rafique, R/o Shop No. 45, Old No.41, Hazrat Fatesh Shah Majaar & Masjid

Trust Committee, Police Lines Tikrapara, Raipur, Dist Raipur, Cg

---- **Petitioner**

Vs

1. Hazrat Fateh Shah Majaar & Masjid Trust Committee And Ors. S/o Through Mutwalli, Police Line Tikrapara, Raipur, Dist Raipur, Cg
2. The Chief Executive Officer Chhattisgarh State Wakf Board Raipur, Tahsil & Distt. Raipur C.G.
3. The Sub Divisional Officer Assistant Survey Commissioner Wakf Tah & Distt. Raipur C.G.

---- **Respondents**

For Petitioners	: Shri B.P. Sharma with Shri Vivek Chopda, Advocate.
For Respondent No.1:	Shri Sarfaraj Khan & Shri Ali Asgar, Advocate.
For Respondent No.2:	Shri Prateek Sharma, Advocate.
For State	: Shri Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/12/2017

(1) Since common question of law and fact is involved in the instant writ petition, they are being disposed of by this common order.

(2) The petitioners/plaintiff filed a suit for declaration and injunction. They also filed application for temporary injunction, which has been rejected by the trial Court, and on appeal being preferred, the appellate Court has also affirmed the finding so recorded by the trial Court.

(3) This Court while entertaining the writ petition on 4.9.2014, directed the parties to maintain *status quo* with regard to suit property, which is still continuing.

(4) Learned counsel appearing for the petitioner would submit that the since the civil suit is pending consideration since 21.03.2013, therefore, the trial Court be directed to expedite the trial within the specific time

frame.

(5) On the other hand, counsel for the respondents would oppose the writ petition and support the impugned order.

(6) I have heard learned counsel appearing for the parties and considered their rival submissions made hereinabove and gone through the record with utmost circumspection.

(7) Taking into consideration the fact that the suit is pending since 21.03.2013, it would be expedient to direct the trial Court to decide the suit expeditiously preferably within a period of three months from the date of receipt of certified copy of this order. Ordered accordingly.

(8) Since in this batch of writ petitions, it has been brought to the notice of this Court that the interim order is operating since 4.9.2014, therefore, it is directed that for the period of three months, interim order dated 4.9.2014 shall continue, during which period the civil suit has to be decided.

(9) With the aforesaid observations, the writ petitions stand finally disposed off.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-