

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

937 WRIT PETITION NO. 2313 OF 2017

SHAIKH AYUB ABDUL GAFURSAB

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS CHIEF SECRETARY

Advocate for Petitioner :Mr. Kale Mahesh P.
AGP for Respondent State:Mrs. M. A. Deshpande

**CORAM : R. M. BORDE &
K. L. WADANE, JJ.**

DATE : 27th April, 2017

ORDER:

Petitioner, prima facie, does not have locus to maintain the petition. Provisions of the Act (Kazis Act, 1980 and Kazis (Maharashtra Amendment, 1978) have not yet been enforced. There are no regulations framed in respect of eligibility of a person to be appointed as Kazi. As such, the petitioner cannot claim any legal right to be appointed as Kazi. Apart from that, the appointment of Kazi is a matter concerning personal law of Mohmedans and it is seriously doubted as to whether the State Government can make appointment of Kazi, who is required to perform certain functions concerning religious matter of Mohmedans. Writ petition as such is devoid of substance and stands dismissed.

(K. L. WADANE, J.)

(R. M. BORDE, J.)