

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

WRIT PETITION NO. 10368 OF 2016

1. Ajaz Ansar Bagwan
Age: 25 years, Occu.: Business,
Desig: President Muslim Yuva Manch
Shirur (Ghodnadi)
R/o Islampura, Shirur, Tq. Shirur,
Dist. Pune.

2. Wasim Sied Sayyed
Age: 34 years, Occu.: Business,
Design: Secretary, Muslim Yuva Munch,
Shirur (Ghodnadi)
R/o 286, Near Late Ali Church
Shirur, Tq. Shirur, Dist. Pune.

..PETITIONERS

VERSUS

1. State of Maharashtra
Through its Secretary,
Minority and Wakf Department,
Mantralaya, Mumbai.

2. The Chief Executive Officer,
Maharashtra State Board of Wakf,
Panchakki, Aurangabad.

3. Shaikh Iqbal s/o Taj Mohammad (Saudagar),
Age: 50 years, Occu.: Business,
R/o Dambe Nala, Opp. Bajaj Showroom,
Ghodnadi, Shirur, Tq. Shirur, Dist. Pune.

..RESPONDENTS

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Mr. Javed Abdul H. Deshmukh, Advocate for petitioners.
Mr. A.R. Kale, A.G.P. for Respondent No.1 – State.
Mr. H.I. Pathan, Advocate for Respondent No.2.
Mr. M.G. Mustafa, Advocate for Respondent No.3.

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**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.
DATED : 17th FEBRUARY, 2017**

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith. Heard both sides by consent for final disposal.

2. The petition is filed for giving direction to the Wakf Board to see that elections of the managing committee of Jama Masjid Quarter Gate Masjid and Bazar Masjid situated at Shirur, Tq. Shirur, Dist. Pune are conducted. Copy of the scheme of the management prepared and submitted in the office of Wakf Board is placed on record and it shows shows that term of office of managing committee is of six years. Learned Counsel for petitioner submitted that present managing committee is working since 2003 and its term expired in 2009 but not elections are held.

3. Learned Counsel representing the board submitted that the board is facing problem as the election of Chairman of the board is itself set aside and that decision is challenged in the matter is pending in the Supreme Court. He submitted that necessary steps will be taken by the

board as stay is granted by the Supreme Court to the said decision. As there is every power to the board, this Court holds that board needs to see that such elections are held in time to avoid further complications.

4. In the result, petition is allowed. Wakf board is hereby directed that the elections are to be conducted within six months from the date of this order. Rule made absolute in those terms.

(SANGITRAO S. PATIL, J.) (T.V. NALAWADE, J.)

SSD