

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

907 CRA NO. 171 OF 2017

SHAIKH MOHAMMED MAHEBOOB, SINCE DECEASED THROUGH L.RS.

SHAIKH NISAR MOHAMMED AND ORS

VERSUS

MAHARASHTRA STATE BOARD OF WAQFS, THROUGH IT S CHIEF
EXECUTIVE OFFICER, AURANGABA

...

Advocate for Applicants : Mr. Shaikh Mobin H.

AGP for Respondent No. 2,3,6 & 7 : Mr. Pathan Yunus
Basheer.

CORAM : K. L. WADANE, J.

DATE : 13th December, 2017

ORDER:

1. Heard learned counsel appearing for the applicants as well as learned counsel appearing for the respondents No. 2,3,6 and 7. Respondents No. 4 and 5 are reported to be dead. They were so-called trustees, therefore, their legal representatives are not necessary to bring on record. Respondent No. 1 is Wakf Board.

2. Learned counsel for the applicants submits that, the applicants had filed application for temporary injunction against the respondents vide Exh. 25 in Wakf Application No. 72/2014 which came to be rejected. The said order is assailed in this revision. During the course of arguments learned counsel for the applicants submits that application Exh. 25 was submitted in the

proceedings i.e. Wakf Application No. 72/2014 which is pending since 2014.

3. Learned counsel for the respondents No. 2,3, 6 and 7 submits that, Wakf Application No. 72/2014 was posted for final hearing on Yesterday, however, since the learned counsel appearing for the respondent in the matter has made statement before the Tribunal that the present Civil Revision Application is filed and same is pending in this Court, so the matter is posted in the month of January 2018. Learned learned counsel for respondents No. 2,3,6 and 7 submits that he has no objection to expedite the hearing of the Wakf Application No. 72/2014. Learned counsel for the applicants has also prayed for the same. Therefore, it appears from the submissions on behalf of learned counsel for the respondents that Wakf Application 72/2014 is already listed for final hearing and that can be disposed of within reasonable period.

4. In view of the above, Civil Revision Application is disposed of.

(K. L. WADANE, J.)

mkd