

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO. 156 OF 2016

THE ADVOCATES BAR ASSOCIATION OF MAHARASHTRA STATE
WAKF TRIBUNAL AURANGABAD THROUGH ITS PRESIDENT
VERSUS
UNION GOVERNMENT OF INDIA THROUGH ITS CHIEF
SECRETARY NEW DELHI AND OTHERS

...
Advocate for Petitioner : Mr. Javed Abdul H. Deshmukh
Assistant Solicitor General for R. Nos.1 and 2: Mr. S.B. Deshpande
Government Pleader for Respondents 3 and 4: Mr. A. B. Girase
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**CORAM : V. M. KANADE AND
V. K. JADHAV, JJ.**

DATED : 19th JANUARY, 2017

P.C. :-

1. Heard.

2. We are informed that the Supreme Court has given directions for filling up the posts of Multi Member in Wakf Tribunal. It is submitted that the point urged by the petitioner in this petition was not urged before the Supreme Court. In our view, by applying the principle of constructive *res-judicata*, now it is not open for the petitioner to raise some additional point, which was not raised earlier before the Supreme Court. With the above observation, public interest litigation is dismissed.

(V. K. JADHAV, J.)

(V. M. KANADE, J.)

rlj/