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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO.154 OF 2018

M/s Balaji Realtors ... Applicants

V/s.

Abdulla s/o Abdul Masjid Patel ... Respondents

Mr. Shardul Singh i/by Hemakshi Gandhi, for the
Petitioners.

Mr. Muytaba Gulam Mustafa i/by Mr. Milind Rawal, for
the Respondents.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 18th APRIL, 2018.

P.C. :

1] Heard learned counsel for the applicants and learned
counsel for the respondents.

2] By this Civil Revision Application filed under Section 115
of Code of Civil Procedure, the applicants are challenging the order
dated 7.2.2018, passed by Maharashtra State Waqf Tribunal,
Aurangabad, below Application Exh. Nos. 47 and 48.

3] Both these applications were filed by the respondent-
plaintiff for directing the present applicants to maintain status quo in

respect of the suit property. The impugned order passed by the Tribunal goes to show that the applicants failed to appear before the Tribunal though called several times since morning till 3.00 p.m. The applicants thereafter filed an application for adjournment. Paragraph No.5 of the impugned order shows that on 22.9.2017, itself order of exparte and no written statement was passed against the applicants. Thereafter on 12.12.2017, application was filed by the applicants for setting aside the exparte order and accordingly exparte order was set aside by imposing costs of Rs.1,000/-. However, costs were not paid by the applicants to the respondents. In view, thereof, the Tribunal was justified in observing that the applicants are not sincere and they simply want to prolong the matter.

4] In view thereof, the Tribunal, directed the applicants to maintain status quo in respect of the suit property of the situation which was in existence as on the date.

5] In my considered opinion, in view of the reasons given by the Tribunal, no fault can be found in the impugned order so as to set aside the said order of status quo in Revisional jurisdiction. However, at the most the Tribunal can be directed to decide both these Applications at Exh Nos. 47 and 48 afresh on merits in accordance with law.

6] Accordingly, Revision Application stands dismissed. The

order of status quo is maintained. The Tribunal is directed to decide Applications at Exh.Nos.47 and 48 afresh after hearing both the parties in accordance with law.

[DR.SHALINI PHANSALKAR-JOSHI, J.]