

nsc.

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

CRIMINAL WRIT PETITION NO.1664 OF 2018

Attaullah Abdul Hamid Shaikh	...Petitioner
Versus	
The State of Maharashtra and Ors.	...Respondents

Mr.Rakesh Singh i/b K.R.Tiwari & Co., for the Petitioner.

Mrs.P.P.Shinde, A.P.P for the Respondent-State.

Mr.Vinod Sangvikar i/b Talekar and Associates, for the Respondent No.8.

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.***

DATE : 21st JUNE, 2018

P.C. :

1. The above Petition has been filed premised on the ground that no action has been taken by the police pursuant to the complaints made by the Petitioner. The complaints made by the Petitioner are revolving around the management of the Masjid in question. The Petitioner seems to be making allegations in respect of the accounts of the Masjid etc. A perusal of the letters of which cognizance is not taken by the police would indicate that some letters have been marked to the police though they are originally

addressed to the WAKF Board. If the Masjid is a WAKF, then it is the WAKF Board established under the WAKF Act, 1985, which would have jurisdiction in respect of the management of the said Masjid. The police obviously cannot involve themselves in the dispute between two competing groups who are laying a claim to the management of the Masjid.

2. The learned APP, Mrs.Shinde has tendered a report dated 20th June, 2018 of the Inspector of Police, Malad Police Station, wherein it has been mentioned that in respect of the 3 complaints, the Petitioner has not remained present and in respect of the 4th complaint, an NC has been registered by the police. In any event, for the reasons we have recorded in the earlier part of this order, no relief can be granted to the Petitioner.

3. The Writ Petition is accordingly dismissed. The report dated 20th June, 2018 is taken on record and marked 'X' for identification.

(REVATI MOHITE DERE, J.)

(R. M. SAVANT, J.)