

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

1001 WRIT PETITION NO.8658 OF 2019

**RAUNAK CONSTRUCTIONS THROUGH ITS PARTNER
NAVIN GOKULDAS CHANDAK**

VERSUS

SHAIKH NISAR SHAIKH GULAB ND ANOTHER

...

Advocate for Petitioners : Mr. Kazi S.S.

Advocate for Respondents : Mr. S.A.G. Qureshi for R/1

Advocate for Respondents : Mr. Deshmukh N.E. for R/2

...

**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 31.07.2019

PC. :-

Mr. Qureshi the learned counsel appears for respondent no.1. Mr. Deshmukh the learned counsel appears for respondent no.2.

2. We have also heard Mr. Kazi the learned advocate for the petitioner. We had entertained the petition on 17.07.2019 on the premise that the Judicial Member of the Tribunal had retired and no new Judicial Member was appointed.

3. It is submitted that the Judicial Member of the Tribunal is already appointed and the Wakf Tribunal is functioning.

4. The petitioner has already filed the proceedings before the Wakf Tribunal along with the stay petition. Naturally, as the Wakf Tribunal is seized with the matter the same would be required to be dealt with by the Wakf Tribunal.

5. The parties may appear before the Wakf Tribunal or at the Wakf Camp on 16.08.2019. The petitioner shall request for hearing of the application for stay or necessary orders. We extend the interim order passed by us on 17.07.2019 till 21.08.2019. The petitioner may request the Tribunal to hear the application and pass necessary orders prior to the said date on its own merits. Writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]