

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5933 OF 2019

SHABBIR LATIF SHAIKH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Tungar Hrishikesh V
AGP for Respondents : Mr. S. B. Yawalkar

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CORAM: S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATE: 01st OCTOBER, 2019

PER COURT:

1. Mr. Tungar, learned counsel for the petitioners submits that the communication is issued by the Tahsildar to Talathi upon the letter issued by the Sub Divisional Officer. An appeal against the order of Tahsildar lies before the Sub Divisional Officer. In view of that appeal would not be an appropriate remedy. In view of that, the learned counsel submits that the present petition is filed.

2. Whether the property is a Wakf property or the petitioners are the owner of the property can

be decided by the Wakf Tribunal established under the provisions of the Wakf Act, 1995. In the said proceedings, the petitioners can claim all consequential and ancillary reliefs as are permissible.

3. In light of the above, if the petitioners are so advised, the petitioners may avail the said remedy. In that case, all contentions are kept open.

4. Writ Petition stands disposed of. No costs.

[ANIL S. KILOR, J.] [S. V. GANGAPURWALA, J.]

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