

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1978 OF 2017**

Mustafa Hussain Shirpurwala & Ors.	...Petitioners
Versus	
The State of Maharashtra & Ors.	...Respondents

Mr. A. B. Tajane for the Petitioners

Mr. Kedar Dighe, A.G.P for the Respondent-State

Ms. Trupti Puranik for the Respondent-MCGM

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
WEDNESDAY, 16th JANUARY 2019**

P.C. :

1 Contention is petitioners are persons interested and the respondent No. 6 Waqf is not being administered as per law. Unauthorised construction is going on. Learned counsel states that provisions of Maharashtra Public Trust Act, 1950 apply to said Trust.

2 If petitioners are persons interested, they have got a remedy and Forum under said Act. That Forum can look into not only the complaint of illegal construction but also grievance about

administration or mismanagement. Petitioners have not made any application to that Authority.

3 Hence, with liberty to petitioners to approach that Authority in accordance with law and keeping contentions of parties open, we dispose of present petition. No costs.

REVATI MOHITE DERE, J.

B. P. DHARMADHIKARI, J.