

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.1603 OF 2020

ORDER

This writ petition is filed seeking the following relief:

“to pass order or orders one in the nature of Writ of Mandamus declaring the action of respondent No.2 for not considering the representation dated 07/12/2019 made by the petitioner for appointment as a Muthawaliship with regard to the properties i.e., Sunni or Shia House Moin Manzil No.5-9-1116, behind King Koti Road, admeasuring area 1984 Sq vards and its attached properties and to declare the action of respondents as illegal, arbitrary, against principles of the natural justice and against the provision of Waqf Act, 1995 and violation of Articles 300 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Heard Sri Suresh Shiv Sagar, learned counsel appearing for the petitioner, learned Government Pleader for Social Welfare appearing for respondent No.1 and Sri Abu Akram, learned Standing Counsel appearing for respondent No.2.

The grievance of the petitioner is that though she is grand daughter of original wakif and surviving legal heir of Mohd.Moinuddin Hussain, the respondents are not considering her representation dated 7.12.2019 for appointment as Muthawali.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing

the respondents to consider the representation dated 7.12.2019 submitted by the petitioner.

Learned Standing Counsel appearing for the 2nd respondent contended that since the representation submitted by the petitioner is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation dated 7.12.2019 submitted by the petitioner and pass appropriate orders thereon in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 19.2.2020
rkk

