

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

CIVIL REVISION APPLICATION NO. 30 OF 2020

M/s Saraswati Saw Mill
through its Proprietor
Jamanadas Patel Muljibhai
Patil and ors.

.. Petitioners

Versus

Syed Quadar Pasha
s/o Syed Wahidullah
Hussaini and ors.

.. Respondents

Mr S.S. Gangakhedkar, Advocate for petitioners
Mr J.H. Deshmukh, Advocate for respondents no.1 to 4
Mr Y.B. Pathan, Advocate for respondent no.5
Mr Swapnil Dargad, Advocate h/f Mr S.G. Chapalgaonkar, Advocate for
respondent no.6

- WITH -

CIVIL REVISION APPLICATION NO. 29 OF 2020

M/s Diamond Tiles,
through Samir Moti
s/o Ramzan Ali Moti

.. Petitioners

Versus

Syed Quadar Pasha
s/o Syed Wahidullah
Hussaini and ors.

.. Respondents

Mr A.R. Kawade, Advocate for petitioners
Mr J.H. Deshmukh, Advocate for respondents no.1 to 4
Mr Y.B. Pathan, Advocate for respondent no.5
Mr Swapnil Dargad, Advocate h/f Mr S.G. Chapalgaonkar, Advocate for
respondent no.6

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 13th July 2021

PER COURT :

1. Heard Mr S.S. Gangakhedkar and Mr A.R. Kawade, learned Advocates for respective revision petitioners, Mr J.H. Deshmukh, learned Advocate for respondents no.1 to 4, Mr Y.B. Pathan, learned Advocate for

respondent no.5 and Mr Swapnil Dargad, learned Advocate h/f Mr S.G. Chapalgaonkar, learned Advocate for respondents no.6.

2. Perused the impugned orders passed by the Maharashtra State Wakf Tribunal, Aurangabad.

3. The learned Advocates appearing for the respective parties are at consensus that Wakf Suit needs to be expedited and necessary directions need to be issued to the Wakf Tribunal to dispose of the suit proceeding in view of earlier order passed by this Court.

4. Having regard to the submissions made by learned Advocates for the respective parties, these Civil Revision Applications can be disposed of by giving following directions.

ORDER

(i) The impugned orders passed below Exh.5 and Exh.24 in Wakf Suit No.5 of 2020 passed by the Wakf Tribunal are hereby quashed and set aside.

(ii) The Wakf Tribunal is hereby directed to decide Exh.5 and Exh.24 afresh after giving an opportunity of being heard to all the respective parties within a period of fifteen (15) days from the date of receipt of this order. All the parties shall co-operate the Tribunal to decide the abovesaid two Exhibits within time frame. Till then, parties shall maintain *status quo* in respect of suit property.

(iii) The hearing of Wakf Suit No.5 of 2020 pending before the Maharashtra Wakf Tribunal at Aurangabad is hereby expedited. The Tribunal is directed to dispose of the said suit expeditiously and preferably

within a period of six months from today in view of the observations made in the order passed by this Court in Civil Revision Applications No. 58 of 2012 and 61 of 2012 dated 3.12.2013, more particularly observations made in paragraphs no.16 and 17 of the order.

(iv) Both the Civil Revision Applications are disposed of. No orders as to costs.

(SHRIKANT D. KULKARNI, J.)

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