

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4952 OF 2020

NAGNATH DHONDBARAO DESHMUKH AND ANOTHER
VERSUS
THE MAHARASHTRA STATE BOARD OF WAKF AND OTHERS

Mr.R.V.Gore, Advocate for the petitioners.

Mr.N.E.Deshmukh, Advocate for respondent Nos. 1 and 2.

Mr.S.B.Yawalkar, AGP for respondent Nos. 3 and 4.

(CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, JJ)

DATE : SEPTEMBER 2, 2021

PER COURT :

1. Petitioner No.1 has passed away on 03/06/2021.
2. The impugned communication at page No.52 dated 11/03/2020 has been issued by the Wakf Board u/s 51(1) of the Wakf Act, 1995. The said communication is addressed to the District Collector, Hingoli. Section 52(2) enables the District Collector to pass an order after receiving such communication u/s 52(1). That order is yet to be passed. After such order is passed, Section 52(4) of the Act enables the aggrieved party to challenge the said order by preferring an appeal before the Tribunal.
3. The petitioners have approached this Court at a premature stage.

4. In view of the above, this petition is dismissed.
5. The ad-interim relief, granted earlier, stands vacated forthwith.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)