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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1)

CR-5201-2019
Date of decision: 26.08.2021

Haryana Wakf Board, Ambala Cantt.

.....Petitioner

versus

Deepanshu Chaudhary

.....Respondent

2)

CR-3900-2018
Date of decision: 26.08.2021

Inder Pal and others

.....Petitioners

versus

Haryana Wakf Board, Ambala Cantt.
and others

.....Respondents

3)

CR-365-2020
Date of decision: 26.08.2021

Haryana Wakf Board, Ambala Cantt.

.....Petitioner

versus

Asha Rani and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. G.N. Malik, Advocate
for the petitioner (in CR-5201-2019 & CR-365-2020)
for respondent No.1 (in CR-3900-2018).

Mr. Jatinder Nagpal, Advocate
for the respondent (CR-5201-2019).

Mr. Chetan Mittal, Senior Advocate with
Mr. Udit Garg, Advocate
for the petitioners (in CR-3900-2018).

FATEH DEEP SINGH, J.

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The above detailed revisions though between different sets of parties but having common question involved are being taken up and disposed off together for the sake of brevity.

The precise dispute stems from the dispute over the property subject matter of litigation between the parties situated in the District of Rohtak, Haryana. The properties are stated to be Wakf properties covered under the Wakf Act, 1995 for which Wakf Tribunals have been constituted to deal with dispute over such Wakf properties in the State of Haryana *et cetera*. In the State of Haryana, the nomenclature of the Board is Wakf Board (in short 'the Board'). It is during the course of the dispute between the Board and the persons asserting their claim over the property proceedings have been initiated before the Tribunal and it is in between, due to

cessation of quorum, these matters were filed against impugned order before this Court by way of instant revision. This Court vide various orders, which need not be reproduced, had passed stay orders in favour of the parties to this petition. During the course of proceedings, it has been brought to the notice of this Court by Sh. Jatinder Nagpal, Advocate representing the respondent in the main case, that the Tribunal in the State of Haryana, especially, in the District of Rohtak, had been duly reconstituted and have become functional and which could not be displaced by the counsel representing the opposite parties.

Be so as it may, it would not be appropriate for this Court to carry on with the present proceedings anymore which ought to be there before the appropriate authority under the Act. As the present revisions were only by way of alternate remedy to the parties aggrieved over such orders earlier passed by the Tribunals which has then become non-functional.

Without feeling the necessity to comment upon the claim and counter-claim of the two sides that has been raised up in the present petition, it would sub-serve the ends of justice, if all petitioners in these three petitions are relegated to the position and remedy available to them under the Act. The parties shall appear before the concerned authority under the Act within one month of the passing of this order and meanwhile, the orders of stay, so granted, by this Court, shall remain in operation till appropriate orders are

passed by the concerned authority under the Act, which would endeavour to do so at the shortest possible time without loss of time.

These matters, thus, stand disposed off accordingly.

26.08.2021
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No