

43 26.4.2022  
Sc Ct. no.8

**FMA 1314 OF 2021**  
**with**  
**I.A. No. CAN 1 OF 2021**

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Sk. Sahajahan Ali

Vs.

Abdur Raquib Mollik & Ors.

Mr. Quazi Monirul Islam

...For the Appellant

Ms. Sutapa Sanyal  
Ms. Susnita Saha.

...For the State/  
Respondents

Mr. Sankar Halder

...For the Krishnagar  
Municipality

In view of Section 83 sub-Section (9) of the Waqf Act, 1995, we are of the view that a revision instead of appeal is maintainable in the revisional jurisdiction of the High Court under Section 83(9) of the Waqf Act, 1995.

Leave is given to the appellant to move the revisional Court on the selfsame cause of action.

Office

The department is directed to return the original certified copy of the impugned order to the learned advocate representing the appellant after retaining a photostat copy of the same.

We make is clear that we have not gone into the merits of the matter.

FMA 1314 of 2021 along with I.A. No. CAN 1 of 2021 are disposed of.

There shall be no order as to costs.

Photostat certified copy of this order, if applied for,  
be furnished expeditiously on usual undertaking.

**(Ajoy Kumar Mukherjee, J.)**

**(Soumen Sen, J.)**