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

937 WRIT PETITION NO.2153 OF 2021

**AYYUB ABDUL GAFURSAB SHAIKH
VERSUS
THE STATE OF MAHARASHTRA THR ITS SECRETARY AND OTHERS**

Mr. Mahesh Kale, Advocate for petitioner;
Mr. S.G. Karlekar, A.G.P. for respondent no.1;
Mr. N.E. Deshmukh, Advocate for respondent no.2

**CORAM : A.S. GADKARI
AND
S. G. MEHARE, JJ.**

DATE : 23rd February, 2022

P.C.

1. Leave to amend to correct the designation of respondent no.2.
Amendment be carried out forthwith.
2. By the present petition, the petitioner has prayed for a writ of mandamus or direction in the like nature to respondent no.2 to record the name of petitioner as Mutawalli of the wakf, namely, Durgah Shaikh Sultansaheb at Lamjana, Tq. Ausa, Dist. Latur, as per the virasat issued by the Competent Authority.
3. Learned Counsel appearing for respondent no.3 submitted that, as per Section 32 (2) (g) of the Wakf Act the powers to appoint and

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remove Mutawallis are vested with the Wakf Board constituted under the said Act. He submitted that, the application of the petitioner will be considered by the Board in the next scheduled meeting or in any case within a period of four months from today. The said statement is accepted.

4. In view of the statement made by the learned Counsel for respondent no.3, at this stage nothing further survives in the present petition and is accordingly disposed off.

(S. G. MEHARE, J.)

(A.S. GADKARI, J.)

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