

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

961 WRIT PETITION NO.2203 OF 2022

**ZAHEER KHAN MUKHTAR KHAN & ANOTHER
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...

Advocate for the petitioners : Mr.S.S.Kazi h/f. Ms.Fatema S.
Kazi

AGP for Respondent-State : Mr.S.K.Tambe

...

AND

926 WRIT PETITION NO.2166 OF 2022

**AHMED KHAN AZAM KHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for the petitioners : Mr.S.S.Kazi h/f. Ms.Fatema S.
Kazi

AGP for Respondent-State : Mr.S.K.Tambe

...

AND

934 WRIT PETITION NO.2174 OF 2022

**GULAB KHAN SARDAR KHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for the petitioners : Mr.S.S.Kazi h/f. Ms.Fatema S.
Kazi

AGP for Respondent-State : Mr.A.R.Kale

...

AND

948 WRIT PETITION NO.2188 OF 2022

BABAR KHAN SHABBIR KHAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the petitioners : Mr.S.S.Kazi h/f.Ms.Fatema S.
Kazi

AGP for Respondent-State : Mr.A.S.Shinde

...

**CORAM : S.V.GANGAPURWALA &
S.G.DIGE, JJ.**

DATE : 15.02.2022

P.C. :

1] Mr.Kazi, learned counsel for the petitioners submits that on the basis of the letter issued by the District Wakf Officer, the revenue record is sought to be changed. The Wakf Officer has no authority to issue such letter. The said letter is illegal. The petitioners are also challenging the impugned notices.

2] Learned AGP submits that there is remedy to the petitioners to approach Wakf Tribunal.

3] The jurisdiction to determine the nature of the land, namely, whether it is wakf land or not vest with the Wakf Tribunal. In case, the dispute exists about nature of the property and / or wakf, the petitioners are at liberty to approach Wakf Tribunal.

4] Mr.Kazi, learned counsel on instructions submits that revenue record standing in the name of the petitioners in respect of the writ land has not been changed and the names of the petitioners still exist in the revenue record.

5] In case, the names of the petitioners still exist in the revenue record in respect of the writ land, then the Revenue Officer shall not effectuate the change in the revenue record without notice to the petitioners and without hearing the petitioners.

6] With the above observations, Writ Petitions stand disposed of. No costs.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

DDC