

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

WRIT PETITION NO. 2242 OF 2022

Shaikh Qayyum Shaikh Jamal .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioner.

Mr. S. K. Tambe, AGP for Respondents-State.

AND

WRIT PETITION NO. 2243 OF 2022

Abdar Khan Hamid Khan Pathan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioner.

Mr. A. R. Kale, AGP for Respondents-State.

AND

WRIT PETITION NO. 2244 OF 2022

Rafiq Khan Miyaja Khan
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioners.

Mr. A. S. Shinde, AGP for Respondents-State.

**AND
WRIT PETITION NO. 2245 OF 2022**

Azhar Khan Ahemad Khan
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioners.
Mr. P. N. Kutti, AGP for Respondents-State.

**AND
WRIT PETITION NO. 2246 OF 2022**

Kadeer Khan Hamid Khan
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioners.
Mr. P. N. Kutti, AGP for Respondents-State.

**AND
WRIT PETITION NO. 2247 OF 2022**

Alishan Begum Ibadat Khan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioner.
Mr. P. N. Kutti, AGP for Respondents-State.

AND
WRIT PETITION NO. 2248 OF 2022

Rehanabee Jumme Khan Pathan
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioners.

Mr. P. N. Kutti, AGP for Respondents-State.

AND
WRIT PETITION NO. 2249 OF 2022

Jafar Khan Murtuza Pathan
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioners.

Mr. P. N. Kutti, AGP for Respondents-State.

AND
WRIT PETITION NO. 2250 OF 2022

Shamim Begum Murtuza Khan
and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Mr. S. S. Kazi, Advocate h/f Ms. Fatema S. Kazi, Advocate for the
Petitioners.

Mr. P. N. Kutti, AGP for Respondents-State.

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

DATED : 16th FEBRUARY 2022.

PER COURT:-

- . 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 A.G.P. 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)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.