

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

WRIT PETITION NO. 3375 OF 2022

ARCHANA ARUN SHEWALE & OTHERS
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

WRIT PETITION NO. 3376 OF 2022

TUSHAR GULABRAO SHINDE
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

WRIT PETITION NO. 3377 OF 2022

DR. PRITI YOGESH MORE AND ANOTHER
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

...

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

DATE : 8th MARCH, 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.]

MTK