

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

937 CRA NO.67 OF 2017

**SUBHAN SARDAR SAYYED
VERSUS
SAYYED ANSAR KASIM AND OTHERS**

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Advocate for Application : Mrs. Fatema Kazi h/f Mr. S.S.Kazi

Advocate for Respondent Nos. 1 to 8 : Mr. Ismail Shaikh h/f
Mr.Naseer Shaih

Advocate for Respondent No. 2 : Mr.Najam E. Deshmukh

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CORAM : VINAY JOSHI, J.

DATE : 17th FEBRUARY, 2022.

PER COURT :

1. Challenge in this revision petition is to the order dated 16.03.2017 passed below Exh. 5 by the Presiding Officer, Maharashtra Wakf Tribunal, Aurangabad in Suit No. 155 of 2016. The revision petitioner was the original plaintiff, whose injunction application was came to be rejected, which is impugned herein. It is informed that now the Tribunal has fixed the matter for recording the evidence as the pleadings are complete and issues were framed. Both sides have urged that by maintaining the order of status-quo, this revision petition be disposed of with a direction to the Tribunal to expeditiously decide the suit. Both sides agreed to continue status-quo order, which was passed by this Court on 23.03.2017. In view

of the above submission canvassed from both sides following order is passed :

ORDER

- a. The revision petition is disposed of.
- b. Maharashtra Wakf Tribunal, Aurangabad shall endeavour to decide the pending suit No. 155 of 2016, within six months from the receipt of record.
- c. The Tribunal shall not entertain the adjournments unless exceptional reasons are made out.
- d. The order of status-quo shall remain in force till the disposal of suit, however, the Tribunal is at liberty to vary the order on merits, if exceptional circumstances are made out.
- e. All points are kept open.
- f. The revision petition is disposed of in above terms.

(VINAY JOSHI, J.)