

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 9337 OF 2021**

Shilphata Masjid, Shilphata (through the Managing
Committee Member/Mutawallies/Trustees) and others ... Petitioners

Versus

Abdul Rahim Shaukar Ali Pathan and others ... Respondents

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Mr. Kishor Patil for the Petitioners.

Ms. Neha Bhide, 'B' Panel Counsel for the State.

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**CORAM : S.J. KATHAWALLA AND
MILIND N. JADHAV, JJ.**

**DATED : JANUARY 11, 2022.
(through video-conferencing)**

P.C. :-

1. By the above Writ Petition, the Petitioners inter-alia seek the following relief :

“(a) Issue a Writ/Order to direct the Respondent No.6 to decide the Representation dated 25.12.2019 annexed at Exhibit E to the present Petition and stop the illegal construction undertaken by the Respondent Nos.1 to 3.”

2. The Learned Advocate appearing for the Petitioners states that he sought relief strictly to the extent of directing the Respondent No.6 to decide the representation dated 25th December, 2019 within a stipulated period. Today, Respondent No.6 is not present before this Court and is not represented through an Advocate. In view thereof, Respondent No.6 is directed to decide the representation dated 25th

December, 2019 after giving a hearing to the Petitioners as well as to all the concerned parties. Respondent No.6 shall pass a speaking order within a period of two weeks from the date of hearing after considering oral as well as written submissions, if any filed by the Advocates for the parties. All contentions of the parties are kept open. The first meeting shall be called by Respondent No.6 on 18th January, 2022. He shall give necessary intimation of hearing to the Petitioners as well as to all the concerned parties. The above Writ Petition is accordingly disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)

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