

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL REVISION APPLICATION NO. 33 OF 2023

Shaikh Shamsuddin S/o Ahimuddin

Applicant

Versus

The Maharashtra State Board of Waqfs
& others

Respondents

Mr. G. R. Syed, Advocate for the applicant.

Mr. M. S. Choudhari, Advocate for respondents No. 2 to 4.

CORAM : R. M. JOSHI, J.

DATE : 13th MARCH, 2023.

PER COURT :

1. Learned counsel for applicant states that by passing the impugned order, the Wakf Tribunal has deleted Issue No. 1 already framed. It is his contention that if no findings are recorded by the tribunal on the said issue, the applicant would not be in a position to challenge the same before the appellate Court.

2. Learned counsel for the respondents concedes to the fact that it is open for the applicant to raise such issue in Appeal even if the same is again not framed.

3. Learned counsel for the applicant is satisfied with the said undertaking/statement made by learned counsel for the respondents.

4. In view of above, the application stands disposed of with liberty to the applicant to raise the said issue after final judgment before the first appellate Court.

(R. M. JOSHI)
Judge

dyb