

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

18 CONT. PETITION NO.650 OF 2023
IN CRA/99/2012

SABER ALI SHAH S/O KHAMAR ALI SHAH LEGAL REPRESENTATIVE OF
KHAMAR ALI SHAH S/O MEHMOOB ALI SHAH
VERSUS
MOHINUDDIN S/O BABULAL TASHILDRA

...
Advocate for Petitioner : Mr. Shaikh Wajeed Ahmed

...
CORAM : ARUN R. PEDNEKER, J.
DATED : 25/09/2023

PER COURT :

1. Heard the learned counsel for the petitioner.
2. The learned counsel for the petitioner submits that the Wakf Tribunal has granted order of injunction in favour of petitioner and this Court has confirmed the order of Tribunal. The learned counsel submits that the petitioner has initiated executing proceedings before the Tribunal. The learned counsel submits that there is interference in the property of the petitioner and consequently, there is violation of the order of this Court.
3. It appears that the contempt is sought to be initiated against the Chief Executive Officer of the Wakf Board and office bearers of the Board. In the order granting injunction, it is specifically held that the Board is entitled to take appropriate action with regard to the construction made on the Wakf property without permission of the Board. The execution proceedings qua the decree of injunction is also pending before the Tribunal.
4. In view of the same, the Tribunal to decide the execution application pending before it without being influenced by any part of this order. No case is made out for contempt. The contempt petition is dismissed with above observations.

[ARUN R. PEDNEKER J.]

ssc/