

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,**  
**NAGPUR BENCH : NAGPUR.**

**WRIT PETITION NO.3475 of 2023**

Madina Masjid and Madarsa at Rahmatnagar, Sonagaon through its Secretary- Ajij Khan  
Sattar Khan and others

vs.

The Nagpur Improvement Trust, through its Chairman and others.

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order  
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Court's or Judge's Order

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Shri Muhammed Ateeque, Advocate for petitioners.

Shri S.M.Puranik, Advocate for respondents.

**CORAM :- A.S.CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.**

**DATE :- 13<sup>th</sup> JUNE, 2023**

Heard.

2. By this writ petition, the petitioners pray that the order dated 13.01.2023 passed in Writ Petition No. 1964 of 2021 (*Mahesh V. Chendke and ors. vs. State of Maharashtra and ors.*) be recalled/reviewed since the directions issued in that writ petition is on the basis of the statement made on behalf of the Nagpur Improvement Trust that encroachments in the recreational open area would be removed in accordance with law causes prejudice to the petitioners.

3. It is informed that in the meanwhile the petitioners have approached the Waqf Tribunal under Section 83 of the Waqf Act, 1995 (for short, the Act of 1995) and steps have been taken to seek appropriate relief therein. It is further informed that on 05.06.2023 an order of status-quo was passed by the Tribunal.

4. Since the petitioners have approached the Tribunal under the Act of 1995, we do not find any reason to entertain the present proceedings.

5. By directing the Tribunal to decide the aforesaid proceedings in accordance with law and on its own merits, this writ petition is disposed of. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

*Andurkar.*