



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

915 WRIT PETITION NO. 8709 OF 2024

NISHANT ANJUMAN MIRZA ILIYAS BAIG

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND ANOTHER**

...

Shri Chandrakant V. Thombre, Advocate for the Petitioner.

Shri S.R. Wakale, AGP for Respondent No.1/State.

Shri R.B. Bagul, Standing Counsel for Respondent No.2/UoI.

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CORAM : RAVINDRA V. GHUGE

&

Y. G. KHOBRAGADE, JJ.

DATE :- 20th August, 2024

Per Court :-

1. The issue is of Hibanama (gift deed). The Petitioner has directly approached this Court, seeking a decision from Respondent No.2/ CEO, Cantonment Board, considering the judgment of the Honourable Supreme Court in ***Hafeeza Bibi and others vs. Shaikh Farid and others, 2011 AIR SC (Civil) 1339.***

2. The issue as regards the gift deed and it's sanctity, cannot be gone into in writ jurisdiction. It is stated that the gift

deed is registered and the succession certificate is not obtained. The property taxes for the period 01.04.2024 to 31.03.2025, have also not been deposited.

3. In view of the above, **this Writ Petition is disposed off** with liberty to the Petitioner to avail of a remedy by approaching the Civil Court as may be permissible in law. All contentions are kept open.

kps (Y. G. KHOBRADE, J.) (RAVINDRA V. GHUGE, J.)