



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

913 CIVIL REVISION APPLICATION NO. 182 OF 2023

**M/S CITY MAKERS PARTNERSHIP FIRM R. THROUGH
AUTHORIZED PARTNERS DEVANAND N. KOTGIRE AND
ANOTHER**

VERSUS

BABA QURESHI MANNA QURESHI AND OTHERS

...

Mr. Anand P. Bhandari h/f. Mr. V.A. Bagadiya – Advocate for
Applicants

Ms. Roopa V Daxini – Advocate for Respondent Nos.1 and 2

Mr. N.E. Deshmukh – Advocate for Respondent No.3

....

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 20th July, 2024

PER COURT :

1. Heard rival submissions.
2. Though the matter was argued by pointing out as to whether the Wakf Tribunal is bound by the Civil Procedure Code or there is any other prescribed procedure for conducting the present matter before the learned Tribunal, but after arguing for some time the respective learned Counsel appearing for the respondents submit that, the documents mentioned in page Nos.10 to 12 filed alongwith their affidavit-

in-reply can be exhibited by the learned Tribunal except documents at serial Nos.8 and 9. The documents at serial Nos.1 to 7 appear to be in form of certified copies. Both the learned Counsel appearing for the respondents submitted that, the aforesaid certified copies at serial Nos.1 to 7 may be exhibited.

3. Learned Counsel for the applicants submits that, it would suffice the purpose if the aforesaid documents at serial Nos.1 to 7 are marked Exhibits.

4. As such, in view of the submissions made on behalf of learned Counsel for the rival parties as aforesaid, the impugned order dated 12th September, 2023 below Exhibit – 131 is set aside and the learned Tribunal is directed to exhibit the aforesaid documents at serial Nos.1 to 7, and thereafter proceed with the Wakf Application No.73 of 2013 according to law and as per merit.

5. The liberty is also granted to the applicants to follow due process of law for exhibiting the documents at serial Nos.8 and 9.

6. The respondents will be at liberty to produce any additional evidence in rebuttal.

7. The learned Tribunal is directed to dispose the matter as early as possible, and preferably within the period of four months.

8. The Civil Revision Application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE