

Ashvini Narwade

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12837 OF 2023

Masjid Wadhu Budruk Tal. Shirur, Dist. Pune ... Petitioner

Versus

State of Maharashtra Minority Welfare Department & ... Respondents
Ors.

Ms. Surbhi Agarwal a/w. Mr. Suraj Gurav a/w. M. Sayashri Mane for the
Petitioner.

Ms. P. N. Diwan, AGP for Respondent-Stte.

Mr. Vivek Salunke for Respondent No.4

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**CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.**
DATED: 11th January, 2024

P.C.

1. Although, there are several reliefs which are prayed for in this Petition in relation to the management of the Wakf which is known as the Masjid Wadhu Budruk, Tal. Shirur Dist. Pune, and which according to the Petitioner is the owner of the land, the description of which is set out in paragraph 3 of the Petition, the complaint of the Petitioner is that certain members of the Wakf, who are arrayed as Respondent Nos.4 to 20, have resorted to illegal action of attempting to sell the property of the Wakf and, in that regard, a complaint has already been made by the Petitioners before the Maharashtra State Wakf Board at Aurangabad. The grievance of the Petitioner is that such a complaint is not being looked into and no orders have been passed. As this is the primary contention urged before us, the learned Counsel for the Petitioner would submit that, in so far as the prayers made in the Petition are concerned, such grievances can be gone into while considering the complaint

made by the Petitioner. If this is the only relief, then, although the Respondents are not before us, no prejudice will be caused if they would be heard by the Wakf Board.

2. We therefore dispose of this Petition by directing Respondent No.3 to consider the complaint as made by the Petitioner and, after hearing all the parties, pass appropriate orders on such complaint in accordance with law. Let such decision on the complaint be taken as expeditiously as possible and, in any case, within a period of six weeks from the date this Order of the Court is presented before Respondent No.3.

3. All contentions of the parties are expressly kept open.

4. Petition disposed. No costs.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)