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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP-21167-2024 (O&M)
Date of Decision: 16.12.2024**

Deepak

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Ashwani Bakshi, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

Mr. J.S. Bhatia, Advocate
for respondents No.3 to 5.

HARSH BUNGER, J. (Oral)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking a writ in the nature of Mandamus for directing respondents No.1 and 2 to fill the vacancy existing in the Waqf Tribunal at Rohtak, as provided under Section 83 of the Waqf Act, 1995, as on account of non-appointment of the member, the proceedings before the Waqf Tribunal have come to a stand still and no adjudication is taking place.

2. During the course of hearing, learned State counsel has handed over a copy of Memo No.18/25/2012-3JJ(I), dated 28.11.2024, issued by the Additional Chief Secretary to Government, Haryana Administration of Justice Department, which is taken on record, subject to all just exceptions.



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The relevant extract thereof reads as under:

“2. After due consideration, the Government has decided to extend the term of the private members of the Waqf Tribunals of districts Amabala, Hisar and Rohtak namely Sh. Naresh Taneja, Advocate, Smt. Sunita Sekokand, Advocate and Sh. Rao Riaz Ahmad, Advocate for further period of one year from 31.03.2024 to 31.03.2025 in view of para 6 of Haryana Waqf Tribunals (terms and conditions of appointment of member) Rules, 2016.

3. It is also requested to take appropriate steps for constitution of Waqf tribunal for all divisions before 01.01.2025.”

3. A copy of the aforesaid Memo No.18/25/2012-3JJ(I), dated 28.11.2024, has been supplied to learned counsel for the petitioner in Court today itself.

4. In view of the aforesaid stand taken by the State, learned counsel for the petitioner submits that he does not intend to press the instant writ petition any further.

5. Ordered accordingly.

6. As regards the prayer for grant of stay against the dispossession, the petitioner would be entitled to raise the said plea before the Tribunal. It goes without saying that if any such plea is taken, the same shall be decided by the Tribunal in accordance with law, after affording due opportunities of hearing to all the concerned parties.

7. All the pending application(s), if any, shall also stand closed.

16.12.2024

Himani

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No