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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 10960/2023**

MOHD. ARIF QASMI AND ANR

.....Petitioners

Through: Mr. Aqib Baig and Mr. Parvez Dabas,
Advocates.

versus

GOVERNMENT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Tushar Sannu and Mr. Sahaj
Karan Singh, Advocates for GNCTD/
R-1.
Mr. Firoz Iqbal Khan, ASC for Delhi
Wakf Board.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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25.10.2024

CM APPL. 26473/2024 & CM APPL. 26790/2024 (Exemptions)

1. Exemptions are allowed subject to just exceptions.
2. Application is disposed of.

CM APPL. 42174/2024

3. This is an application under Section 151 of CPC, 1908 filed on behalf of applicant/petitioner no.2 for filing of additional documents on Court record.

4. For the averments made in the application, the application is allowed.

REVIEW PET. 198/2024

5. The present review petition under Order XLVII Rule 1 read with Section 151 of CPC, 1908 seeks review of the order dated 3rd April, 2024



filed on behalf of the review petitioner (petitioner no.2) seeking the following prayer:

“In the facts and circumstances as mentioned above, It is, therefore most respectfully prayed that the W.P. (C) 10960/2023, qua the petitioner no.2, may kindly be reviewed and the respondents may kindly be directed to release the an-ears qua the petitioner no.2, from May, 2022, till date and further to rectify their records in the light of the facts that the name of the petitioner no.2, is very much there in the list of 185 Imams.”

6. Learned counsel for the review petitioner (petitioner no.2) submits that the observations made by this Court on 3rd April, 2024 in respect of the purported termination of petitioner no.2 predicated on the statement that he was engaged illegally by the erstwhile Chairman of the Delhi Wakf Board, has been incorrectly presented. He also stated that though this Court has, in pursuance of such statement granted liberty to the review petitioner (petitioner no.2) to take remedial measures against the termination in accordance with law, yet, the review petitioner (petitioner no.2) was never terminated from the engagement as an Imam of the Delhi Wakf Board.

7. He states that his remedies may become infructuous in view of the statement as recorded in the order dated 03rd April, 2024.

8. Having heard the learned counsel for the review petitioner (petitioner no.2), this Court is of the considered opinion that no grounds are made out to interfere with the order passed by this Court on 3rd April, 2024. However, so as to enable the review petitioner (petitioner no.2) to take advantage of the liberty so granted in para 5 of the order dated 03rd April, 2024, it is made clear that the petitioner may approach the learned Central Administrative Tribunal to avail of all the remedies which are available to him in law. It is also made clear that this Court has not examined this issue on merits while



passing order dated 3rd April, 2024.

9. Mr. Firoz Iqbal Khan, ASC for Delhi Wakf Board has no objection in case, the aforesaid directions are passed.

10. The learned Central Administrative Tribunal is requested to consider the petition/application, if any, so filed by the applicant on its own merits as expeditiously as possible.

11. With the above observations, the present review petition is disposed of.

TUSHAR RAO GEDELA, J

OCTOBER 25, 2024

kct