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

+ W.P.(C) 10352/2016, CM Nos.40701/2016, 38577, 49577/2019

M/S SANT RAM NIKKA MAL & ORS ..... Petitioners

versus

UNION OF INDIA AND ORS. .... Respondents

+ W.P.(C) 9348/2019

PARMOD GUPTA AND ANR. .... Petitioners

versus

UNION OF INDIA AND ORS. .... Respondents

+ W.P.(C) 9349/2019, CM No.2431/2022

ANSHUMAN CHAWLA ..... Petitioner

versus

UNION OF INDIA AND ORS. .... Respondents

+ W.P.(C) 9351/2019

RAJENDER SINGH AND ANR. .... Petitioners

versus

UNION OF INDIA AND ORS. .... Respondents

+ W.P.(C) 9352/2019

INDERPAL SINGH ..... Petitioner

versus

UNION OF INDIA AND ORS. .... Respondents

+ W.P.(C) 9354/2019

DINESH KUMAR CHAWLA ..... Petitioner

versus

UNION OF INDIA AND ORS. .... Respondents



|   |                                          |                   |
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| + | W.P.(C) 11765/2019                       |                   |
|   | RAMESH GUPTA AND ANR.                    | ..... Petitioners |
|   | versus                                   |                   |
|   | UNION OF INDIA AND ORS.                  | ..... Respondents |
| + | W.P.(C) 11766/2019                       |                   |
|   | KASTURI LAL LAMBA                        | ..... Petitioner  |
|   | versus                                   |                   |
|   | UNION OF INDIA AND ORS.                  | ..... Respondents |
| + | W.P.(C) 11767/2019                       |                   |
|   | AJAY KUMAR AND ANR.                      | ..... Petitioners |
|   | versus                                   |                   |
|   | UNION OF INDIA AND ORS.                  | ..... Respondents |
| + | W.P.(C) 11814/2019                       |                   |
|   | DEEPANSHU CHOPRA AND ANR.                | ..... Petitioners |
|   | versus                                   |                   |
|   | UNION OF INDIA AND ORS.                  | ..... Respondents |
| + | W.P.(C) 11815/2019                       |                   |
|   | PRADEEP KUMAR @ PRADEEP KUMAR MANGLA.... | Petitioner        |
|   | versus                                   |                   |
|   | UNION OF INDIA AND ORS.                  | ..... Respondents |
| + | W.P.(C) 11816/2019                       |                   |
|   | M/S MEHAR CHAND AND SONS                 | ..... Petitioner  |
|   | versus                                   |                   |
|   | UNION OF INDIA AND ORS.                  | ..... Respondents |
| + | W.P.(C) 11817/2019                       |                   |
|   | GULASHAN JAGGI                           | ..... Petitioner  |
|   | versus                                   |                   |
|   | UNION OF INDIA AND ORS.                  | ..... Respondents |
| + | W.P.(C) 11818/2019                       |                   |
|   | MUKESH KUMAR AND ORS.                    | ..... Petitioners |



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|   | versus                                               |                   |
|   | UNION OF INDIA AND ORS.                              | ..... Respondents |
| + | W.P.(C) 11845/2019                                   |                   |
|   | SATYA BHUSHAN AND ORS.                               | ..... Petitioners |
|   | versus                                               |                   |
|   | UNION OF INDIA AND ORS.                              | ..... Respondents |
| + | W.P.(C) 11847/2019                                   |                   |
|   | NARESH KUMAR                                         | ..... Petitioner  |
|   | versus                                               |                   |
|   | UNION OF INDIA AND ORS.                              | ..... Respondents |
| + | W.P.(C) 11848/2019                                   |                   |
|   | RAKESH BHAGAT                                        | ..... Petitioner  |
|   | versus                                               |                   |
|   | UNION OF INDIA AND ORS.                              | ..... Respondents |
| + | W.P.(C) 12047/2019                                   |                   |
|   | GAGANDEEP SINGH                                      | ..... Petitioner  |
|   | versus                                               |                   |
|   | UNION OF INDIA AND ORS.                              | ..... Respondents |
| + | W.P.(C) 12048/2019                                   |                   |
|   | SH. KETAN SHAH PROPRIETOR OF V. H.<br>SHAH AND BROS. | ..... Petitioner  |
|   | versus                                               |                   |
|   | UNION OF INDIA AND ORS.                              | ..... Respondents |
| + | W.P.(C) 12049/2019                                   |                   |
|   | HITESH KHANNA AND ANR.                               | ..... Petitioners |
|   | versus                                               |                   |
|   | UNION OF INDIA AND ORS.                              | ..... Respondents |
| + | W.P.(C) 12050/2019                                   |                   |
|   | APURV GARG AND ANR.                                  | ..... Petitioners |



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|---|-----------------------------|-------------------|
|   | versus                      |                   |
|   | UNION OF INDIA AND ORS.     | ..... Respondents |
| + | W.P.(C) 12093/2019          |                   |
|   | PRAMOD KUMAR JAIN AND ORS.  | ..... Petitioners |
|   | versus                      |                   |
|   | UNION OF INDIA AND ORS.     | ..... Respondents |
| + | W.P.(C) 12094/2019          |                   |
|   | SAUDAGAR MAL JAGGI AND SONS | ..... Petitioner  |
|   | versus                      |                   |
|   | UNION OF INDIA AND ORS.     | ..... Respondents |
| + | W.P.(C) 12095/2019          |                   |
|   | RAJESH JAIN                 | ..... Petitioner  |
|   | versus                      |                   |
|   | UNION OF INDIA AND ORS.     | ..... Respondents |
| + | W.P.(C) 12211/2019          |                   |
|   | PUNEET KUMAR LAMBA & ANR.   | ..... Petitioners |
|   | versus                      |                   |
|   | UNION OF INDIA & ORS.       | ..... Respondents |
| + | W.P.(C) 12212/2019          |                   |
|   | MUKESH KUMAR JAIN           | ..... Petitioner  |
|   | versus                      |                   |
|   | UNION OF INDIA & ORS.       | ..... Respondents |
| + | W.P.(C) 12213/2019          |                   |
|   | DEO RAJ SARAWGI             | ..... Petitioner  |
|   | versus                      |                   |
|   | UNION OF INDIA AND ORS.     | ..... Respondents |
| + | W.P.(C) 12214/2019          |                   |
|   | SANJAY KUMAR & ANR.         | ..... Petitioners |
|   | versus                      |                   |
|   | UNION OF INDIA & PRS.       | ..... Respondents |
| + | W.P.(C) 12215/2019          |                   |



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|---|------------------------------|-------------------|
|   | KISHAN NARANG                | ..... Petitioner  |
|   | versus                       |                   |
|   | UNION OF INDIA & ORS.        | ..... Respondents |
| + | W.P.(C) 12239/2019           |                   |
|   | ANKUR AGGARWAL               | ..... Petitioner  |
|   | versus                       |                   |
|   | UNION OF INDIA AND ORS.      | ..... Respondents |
| + | W.P.(C) 12240/2019           |                   |
|   | ARUN KUMAR BHATIA            | ..... Petitioner  |
|   | versus                       |                   |
|   | UNION OF INDIA AND ORS.      | ..... Respondents |
| + | W.P.(C) 12241/2019           |                   |
|   | SURENDER KUMAR               | ..... Petitioner  |
|   | versus                       |                   |
|   | UNION OF INDIA AND ORS.      | ..... Respondents |
| + | W.P.(C) 12242/2019           |                   |
|   | MR. ABDUL KARIM              | ..... Petitioner  |
|   | versus                       |                   |
|   | UNION OF INDIA AND ORS.      | ..... Respondents |
| + | W.P.(C) 12446/2019           |                   |
|   | VIPIN GULATI AND ANR.        | ..... Petitioners |
|   | versus                       |                   |
|   | UNION OF INDIA AND ORS.      | ..... Respondents |
| + | W.P.(C) 12447/2019           |                   |
|   | HARISH CHAND GULATI AND ANR. | ..... Petitioners |
|   | versus                       |                   |
|   | UNION OF INDIA AND ORS.      | ..... Respondents |
| + | W.P.(C) 12448/2019           |                   |
|   | ANIL KUMAR JAIN              | ..... Petitioner  |
|   | versus                       |                   |



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| + | UNION OF INDIA AND ORS.<br>W.P.(C) 12449/2019               | ..... Respondents |
|   | MURARI LAL GARG & ANR<br>versus<br>UNION OF INDIA & ORS     | ..... Petitioners |
| + | W.P.(C) 12450/2019                                          | ..... Respondents |
|   | SANJAY AND ANR.<br>versus<br>UNION OF INDIA AND ORS.        | ..... Petitioners |
| + | W.P.(C) 12451/2019                                          | ..... Respondents |
|   | MRS. DARSHANA KAPOOR<br>versus<br>UNION OF INDIA AND ORS.   | ..... Petitioner  |
| + | W.P.(C) 12477/2019                                          | ..... Respondents |
|   | VINOD KUMAR GUPTA<br>versus<br>UNION OF INDIA AND ORS.      | ..... Petitioner  |
| + | W.P.(C) 12940/2019                                          | ..... Respondents |
|   | MADAN LAL BHATIA<br>versus<br>UNION OF INDIA & ORS          | ..... Petitioner  |
| + | W.P.(C) 12941/2019                                          | ..... Respondents |
|   | AMBRISH CHANDER GULATI<br>versus<br>UNION OF INDIA AND ORS. | ..... Petitioner  |
| + | W.P.(C) 12985/2019                                          | ..... Respondents |
|   | RAM NIWAS AND ANR.<br>versus<br>UNION OF INDIA AND ORS.     | ..... Petitioners |
| + | W.P.(C) 12986/2019                                          | ..... Respondents |



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|---|-------------------------|-------------------|
|   | DALJEET SINGH           | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA AND ORS. | ..... Respondents |
| + | W.P.(C) 12987/2019      |                   |
|   | HARJEET SINGH           | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA AND ORS. | ..... Respondents |
| + | W.P.(C) 12988/2019      |                   |
|   | RAJA RAM GUPTA AND ORS. | ..... Petitioners |
|   | versus                  |                   |
|   | UNION OF INDIA AND ORS. | ..... Respondents |
| + | W.P.(C) 13771/2019      |                   |
|   | RAJINDER PRASAD         | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA AND ORS. | ..... Respondents |
| + | W.P.(C) 13772/2019      |                   |
|   | DEEPAK JAIN             | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA AND ORS. | ..... Respondents |
| + | W.P.(C) 13773/2019      |                   |
|   | RAVINDER KUMAR AGGARWAL | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA AND ORS. | ..... Respondents |
| + | W.P.(C) 13780/2019      |                   |
|   | VIDYAWATI AND ORS.      | ..... Petitioners |
|   | versus                  |                   |
|   | UNION OF INDIA AND ORS. | ..... Respondents |
| + | W.P.(C) 13810/2019      |                   |
|   | SHYAM SUNDER & ORS      | ..... Petitioners |



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|   | versus                  |                   |
|   | UNION OF INDIA & ORS    | ..... Respondents |
| + | W.P.(C) 14617/2021      |                   |
|   | SATYA NARAIN & ANR.     | ..... Petitioners |
|   | versus                  |                   |
|   | UNION OF INDIA & ORS.   | ..... Respondents |
| + | W.P.(C) 14620/2021      |                   |
|   | SHAHID UR REHMAN & ANR. | ..... Petitioners |
|   | versus                  |                   |
|   | UNION OF INDIA & ORS.   | ..... Respondents |
| + | W.P.(C) 14621/2021      |                   |
|   | DR. AJAY AGGARAWAL      | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA & ORS.   | ..... Respondents |
| + | W.P.(C) 14659/2021      |                   |
|   | BHARAT BHUSHAN KOCHAR   | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA & ORS.   | ..... Respondents |
| + | W.P.(C) 14660/2021      |                   |
|   | KULDIP SINGH            | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA & ORS.   | ..... Respondents |
| + | W.P.(C) 14671/2021      |                   |
|   | SATISH CHANDER SIKKA    | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA & ORS.   | ..... Respondents |
| + | W.P.(C) 14672/2021      |                   |
|   | MAYA RAM JAIN AND SONS  | ..... Petitioner  |
|   | versus                  |                   |
|   | UNION OF INDIA & ORS.   | ..... Respondents |
| + | W.P.(C) 14677/2021      |                   |



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|---|-----------------------|-------------------|
|   | RAJPOOT AND CO        | ..... Petitioner  |
|   | versus                |                   |
|   | UNION OF INDIA & ORS. | ..... Respondents |
| + | W.P.(C) 14678/2021    |                   |
|   | SANJEEV LAL           | ..... Petitioner  |
|   | versus                |                   |
|   | UNION OF INDIA & ORS. | ..... Respondents |
| + | W.P.(C) 14681/2021    |                   |
|   | SHYAM LAL             | ..... Petitioner  |
|   | versus                |                   |
|   | UNION OF INDIA & ORS. | ..... Respondents |
| + | W.P.(C) 14685/2021    |                   |
|   | KRISHAN LAL           | ..... Petitioner  |
|   | versus                |                   |
|   | UNION OF INDIA & ORS. | ..... Respondents |
| + | W.P.(C) 14686/2021    |                   |
|   | AJAY BHATIA & ANR.    | ..... Petitioners |
|   | versus                |                   |
|   | UNION OF INDIA & ORS. | ..... Respondents |
| + | W.P.(C) 223/2022      |                   |
|   | RAJIV SETIA & ANR.    | ..... Petitioners |
|   | versus                |                   |
|   | UNION OF INDIA & ORS. | ..... Respondents |
| + | W.P.(C) 535/2022      |                   |
|   | SARDAR JAGTAR SINGH   | ..... Petitioner  |
|   | versus                |                   |
|   | UNION OF INDIA & ORS. | ..... Respondents |
| + | W.P.(C) 537/2022      |                   |
|   | GURJEET SINGH         | ..... Petitioner  |
|   | versus                |                   |



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| + | UNION OF INDIA & ORS.<br>W.P.(C) 581/2022 | ..... Respondents |
|   | PRAVEEN SETHI                             | ..... Petitioner  |
|   | versus                                    |                   |
| + | UNION OF INDIA & ORS.<br>W.P.(C) 623/2022 | ..... Respondents |
|   | KULWANT SINGH AND ORS.                    | ..... Petitioners |
|   | versus                                    |                   |
| + | UNION OF INDIA & ORS.<br>W.P.(C) 626/2022 | ..... Respondents |
|   | RAJEEV BEDI                               | ..... Petitioner  |
|   | versus                                    |                   |
| + | UNION OF INDIA & ORS.<br>W.P.(C) 600/2022 | ..... Respondents |
|   | SAURABH BHATIA                            | ..... Petitioner  |
|   | versus                                    |                   |
| + | UNION OF INDIA & ORS.<br>W.P.(C) 812/2022 | ..... Respondents |
|   | BHUPINDER CHAWLA                          | ..... Petitioner  |
|   | versus                                    |                   |
| + | UNION OF INDIA & ORS.<br>W.P.(C) 850/2022 | ..... Respondents |
|   | OVAIS SAQIB                               | ..... Petitioner  |
|   | versus                                    |                   |
| + | UNION OF INDIA & ORS.<br>W.P.(C) 878/2022 | ..... Respondents |
|   | SARDAR MANJIT SINGH                       | ..... Petitioner  |
|   | versus                                    |                   |
| + | UNION OF INDIA & ORS.<br>W.P.(C) 906/2022 | ..... Respondents |



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|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
|   | SATPAL                                                                                                                                                                                              | ..... Petitioner  |
|   | versus                                                                                                                                                                                              |                   |
|   | UNION OF INDIA & ORS.                                                                                                                                                                               | ..... Respondents |
| + | W.P.(C) 1120/2022                                                                                                                                                                                   |                   |
|   | RAJAT BATRA                                                                                                                                                                                         | ..... Petitioner  |
|   | versus                                                                                                                                                                                              |                   |
|   | UNION OF INDIA & ORS.                                                                                                                                                                               | ..... Respondents |
| + | W.P.(C) 1254/2022                                                                                                                                                                                   |                   |
|   | PAWAN KUMAR                                                                                                                                                                                         | ..... Petitioner  |
|   | versus                                                                                                                                                                                              |                   |
|   | UNION OF INDIA & ORS.                                                                                                                                                                               | ..... Respondents |
| + | W.P.(C) 1867/2022, CM No.44583/2022                                                                                                                                                                 |                   |
|   | KISHAN KUMAR GOEL AND ANR                                                                                                                                                                           | ..... Petitioners |
|   | versus                                                                                                                                                                                              |                   |
|   | UNION OF INDIA & ORS.                                                                                                                                                                               | ..... Respondents |
| + | W.P.(C) 3856/2022, CM APPL. 11467/2022, CM APPL. 14875/2022,<br>CM APPL. 14876/2022, CM APPL. 24587/2022, CM APPL.<br>35355/2022, CM APPL. 35356/2022, CM APPL. 35357/2022, CM<br>APPL. 35355/2022. |                   |
|   | SURENDER MOHAN SONI                                                                                                                                                                                 | ..... Petitioner  |
|   | versus                                                                                                                                                                                              |                   |
|   | UNION OF INDIA & ORS.                                                                                                                                                                               | ..... Respondents |
| + | W.P.(C) 8207/2022                                                                                                                                                                                   |                   |
|   | MANISH ARORA                                                                                                                                                                                        | ..... Petitioner  |
|   | versus                                                                                                                                                                                              |                   |
|   | UNION OF INDIA & ORS.                                                                                                                                                                               | ..... Respondents |
| + | W.P.(C) 8208/2022                                                                                                                                                                                   |                   |
|   | GAGAN KHANEJA                                                                                                                                                                                       | ..... Petitioner  |
|   | versus                                                                                                                                                                                              |                   |
|   | UNION OF INDIA & ORS.                                                                                                                                                                               | ..... Respondents |
| + | W.P.(C) 8648/2022                                                                                                                                                                                   |                   |



RAJIV BOBAL ..... Petitioner  
versus  
UNION OF INDIA & ORS. .... Respondents  
+ W.P.(C) 10433/2022 & CM APPL.30165/2022  
  
SUNITA RANI ..... Petitioner  
versus  
UNION OF INDIA & ORS. .... Respondents

**Memo of Appearances:**

**Counsel for the petitioners:**

Mr.Ajay Kohli & Ms.Dipika Prasad, Advs.  
Mr.Mohit D Ram & Mr.Anubhav Sharma, Advs.  
Mr.Pranay Dwivedi, Adv.  
Mr.Rajesh Gupta, Adv. in W.P.(C) 9352/2019

**Counsel for the respondents:**

Mr.Sanjoy Ghose, Sr. Adv. with Mrs.Farhat Jahan Rahmani & Mr.Monis Faridi, Advs. for Delhi Waqf Board.

Mr.Toshif Ahmed & Mr.Hashmat Nabi, Advs. for Central Waqf Board

Ms.Nidhi Raman, CGSC with Mr.Zubin Singh & Mr.Akash Mishra, Advs. for UoI.

Dr.Vijendra Singh Mahndiyan, CGSC with Mr.Puneet Chahar & Mr.Kumar Abhinandan, Advs. for UoI.

Ms.Monika Arora, CGSC with Mr.Subhrodeep Saha & Ms.Radhika Kurudukar, Advs. for UoI

Mr.Vikram Jetly, CGSC with Ms.Shreya Jetly, Adv. for UoI

Mr.Bhagvan Swarup Shukla, CGSC with Mr.Mukesh Kumar Pandey & Mr.Saravan Kumar, Advs. for UoI

Mr..Farman Ali & Ms.Usha Jamnal, Advs. for UoI.

Ms.Avshreya Pratap Singh Rudy and Ms.Harshita Chaturvedi, Advs. for UoI

Mr.Rakesh Kumar, CGSC with Mr.Sunil, Adv. for UoI

Ms.Astha Gupta, Adv. for GNCTD



Mr.Rishikesh Kumar, ASC, GNCTD with Mr.Vikas Saini, Ms.Sheenu Priya & Mr.Atik Gill, Advs. for GNCTD.

Mr.Avishkar Singhvi, Mr.Naved Ahmad, Mr.Vivek Kumar Singh, Ms.Divya Prabha Singh & Ms.Sakshi Raman, Advs. for GNCTD

Ms.Rachita Garg & Ms.Preeti, Advs. for GNCTD

Mr.Lalltaksh Joshi & Ms.Ananya Saraogi, Advs. for GNCTD

Ms.Mehak Nakra, ASC (Civil) GNCTD with Ms.Bhavya Nakra, Mr.Aditya Goyal & Ms.Gunjan Suyal, Advs. for GNCTD.

Ms.Puhumi Aditya, Adv. for Mr Jawahar Raja, ASC (Civil), GNCTD

Mr.S.U.Abbas & Mr.Abhishek Yadav, Advs.

**CORAM:**

**HON'BLE MS. JUSTICE REKHA PALLI**

**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

**23.12.2024**

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1. The present batch of writ petitions seeks to assail the provisions of the Waqf (Amendment) Act, 2013. The grievance of the petitioners, as articulated by learned counsel for the petitioners is that the properties which they are occupying for the last many years as tenants are being auctioned by the Delhi Waqf Board (hereinafter “the DWB”) and the petitioners have been directed to retrospectively pay market rent for the last five years, by computing the annual rent @ 5% of the market value of the properties which in turn is required to be determined as per the applicable circle rate of the area.

2. It is the common case of the parties that during the pendency of the present petitions, certain provisions of the Waqf (Amendment) Act, 2013 have undergone a further change due to the introduction of Waqf Properties Lease (Amendment) Rules, 2020. However, since the said amendments did not redress the grievances of the petitioners, representations were made by



them to the Government pursuant whereto, a fresh amendment Bill has been introduced in the Parliament. This Bill is stated to be presently under consideration of the Joint Parliamentary Committee and, a final decision qua these amendments is likely to be taken shortly.

3. Consequently, even though the parties, as on date, continue to be governed by the Waqf (Amendment) Act, 2013 as also the Rules framed thereunder, since the impugned provisions are already being amended, no useful purpose will be served by examining the validity thereof at this stage. Learned counsel for the parties, however, submit that on date, there is no certainty as to whether the grievances of the petitioners, which are under consideration before the Joint Parliamentary Committee, will be accepted or not and whether a fresh Waqf Amendment Bill, as already introduced in the Parliament, will be finally passed or not.

4. On 05.12.2024, when the present petitions were taken up for consideration, we had put to learned counsel for the petitioner as to why, in the light of the impending proposed amendments, the present petitions should be kept pending any further and not disposed of by granting liberty to the petitioners to assail the amended provisions once finalised.

5. Today, learned counsel for the petitioners submits that taking into account the aforesaid factual position, it would be appropriate if the petitioners are granted liberty to make a wholesome challenge to the provisions of the Waqf Act, 1995, as and when the impending amendments thereto are finalised. They, however, pray that while the writ petitions be disposed of by granting liberty to them to assail the amended provisions if the need so arises, the interim orders passed on 18.11.2019 as confirmed on 16.01.2024 be extended till the amendments are finalised and the petitioners



are in a position to assail the same.

6. Learned senior counsel appearing for the DWB, however, submits that while he has no objection in principle to disposal of the petitions with liberty to the petitioners to assail the amended provisions once finalised, the amount towards monthly rent directed to be paid under interim orders of this Court passed in 2016 be suitably revised. Further, the petitioners ought not to be permitted to take benefit of this interim arrangement in perpetuity. He, therefore, prays that in case, this Court were inclined to dispose of the petitions by granting liberty to the petitioners to assail the fresh amendments as and when finalised, this Court may provide a timeline during which this interim arrangement may continue.

7. Having considered the submissions of learned counsel for the parties, we are inclined to agree with the learned senior counsel for the DWB that the interim directions to pay monthly rent of Rs.5,000/- or double the amount of existing rent passed by this Court needs to be now revised suitably and directions issued that this interim arrangement will continue only for a specified period.

8. We, accordingly, dispose of the petitions by granting liberty to the petitioners to assail the provisions of the Waqf Act once the amendments presently under consideration of the Joint Parliamentary Committee are finalised. Further, taking into account that the monthly rent of Rs.5,000/- per month was fixed by this Court in 2019 since when the market rate of rent has considerably increased, we direct that the petitioners, without prejudice to their rights and contentions which is to be determined in an appropriate petition if the need so arises, will w.e.f 01.01.2025 pay to the Delhi Waqf Board, a monthly rent of Rs.7,500/- or



double the last paid rent as on 18.11.2019 whichever is higher. Subject to the petitioners continuing to pay monthly rent @ Rs.7,500/- or double the last paid rent as on the date of issuance of the demand notices by the DWB under the impugned provisions of the Waqf (Amendment) Act, 2013, the petitioners will be permitted to continue to occupy the premises presently in their occupation. Taking into account that it is the common case of the parties that the proposed amendment Bill which is pending consideration with the Joint Parliamentary Committee is likely to be placed before the Parliament in March/April, we direct that this arrangement will continue till 31.08.2025. We further direct that in case the proposed amendments to the Waqf Act are notified during this period till 31.08.2025, the petitioners will, subject to any challenge thereto, be governed by the same. However, in case, the proposed amendments are not notified by 31.08.2025, the petitioners will be at liberty to seek revival of the present petitions.

9. Further, taking into account the plea of the respondents that some of the petitioners are not paying rent as directed by the interim orders passed by this Court, we direct that this interim arrangement will continue till 31.08.2025 or till the date of the notification of the proposed amendments to the Waqf Act, only subject to the petitioners filing an affidavit with the DWB within a period of four weeks clearly setting out details of the rental which they have been paying as also the revised rental which they are required to pay in terms of this order. In case, any petitioner has any grievance regarding interim arrangement, it will be open for them to approach the DWB by moving an appropriate application which will be considered by the DWB on its own merits while taking into account the directions issued by way of the present order.



10. Accordingly, while disposing of the present petitions, we make it clear that this Court has not expressed any opinion on the merits of the grounds raised by the petitioners and, therefore, in case the petitioners file any fresh petition(s) to challenge the amended provisions of the Waqf Act once finalised, it will be open for them to raise all permissible grounds including grounds raised in the present petitions. We further make it clear that this order is being passed in the peculiar facts of the present case when both parties are *ad idem* that the challenge to the provisions impugned in the present petitions is likely to be rendered infructuous once the amendments which are under consideration of the Joint Parliamentary Committee are notified.

11. The writ petitions, alongwith pending applications are, accordingly, disposed of in the aforesaid terms.

**REKHA PALLI, J.**

**SAURABH BANERJEE, J.**

**DECEMBER 23, 2024**

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