



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 CRA NO. 85 OF 2019

MEER MAHJER ALI GAJANFER ALI USMANI AND OTHER
VERSUS
SHAIKH MASOOD SHAIKH HAMID AND OTHER

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Mr. Akram Inamdar h/f. Mr. S. S. Kazi, Advocate for the applicants
Mr. Shaikh Mujtaba Gulam Mustafa, Advocate for Respondent No.9
Mr. Y. B. Pathan, Advocate for Respondent Nos.7 and 8
Mr. M. S. Shaikh, Advocate for Respondent No.1
Mr. G. R. Syed, Advocate for Respondent Nos.1 to 5

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CORAM : AJIT B. KADETHANKAR, J.

DATE : 07.10.2025

PER COURT :-

1. The subject matter of the litigation is Masjid Noorani, Jumerat Bazaar and Graveyard which has been registered after survey under Section 4 and 5 of the Wakf Act, 1995 as Wakf property.

2. Mr. Akram Inamdar h/f. Mr. S. S. Kazi, learned counsel for the applicants submits that the applicants filed an application under Section 69(5) of the Wakf Act, 1995 before the Maharashtra State Board of Wakfs Panchakki, Aurangabad, for sanction of Scheme of Wakf Institution namely Masjid-e-Noorani Jumerat Bazar, Ambajogai, District Beed. He would submit that the

scheme is prepared by the applicants and was presented on 23.06.2014.

3. It further appears that the learned Chief Executive Officer vide order dated 23.06.2014 allowed the application filed by the applicants and directed that till finalization of the Scheme, Adhoc Committee under Chairmanship of Mir Mohajer Ali Mir Gazanfar Ali Osmani be appointed purely on Temporary basis till further orders to administer the affairs of the Wakf.

4. However, respondent nos.1 to 6 challenged the order passed by the learned Chief Executive Officer dated 23.06.2014 passed in filed no.: MSBW / ENQ. - 55/3703/2014 before the learned Wakf Tribunal, Aurangabad vide Wakf Application No.20 of 2015. It further appears that vide the judgment and award dated 26.04.2019, the learned Tribunal allowed the application and set aside the order dated 23.06.2014 passed by the Chief Executive Officer of the Wakf Board.

5. This Court vide its order dated 14th May 2019 noted that the impugned judgment and award was stayed by the learned Tribunal itself on 29.04.2019 and 13.05.2019. This Court further continued the said stay till the next date. Both the parties would submit that the said stay order is also in

force today.

6. Mr. Mustafa, Mr. Pathan, Mr. Shaikh and Mr. Syed, learned counsels for the respective parties would submit that they have no objection if the civil revision application is disposed of by this Court directing the Wakf Board to finalized the scheme within the stipulated period. They also submit that they have no objection if the Adhoc Committee under Chairmanship of Mir Mohajer Ali Mir Gazanfar Ali Osmani continues to administer the affairs of the Wakf Board until the scheme is finalized.

7. In view of the above, Civil Revision Application is disposed of with a direction to the Maharashtra State Board of Wakfs, Aurangabad to finalize the scheme of Wakf Institution namely Masjid-e-Noorani Jumerat Bazar popularly known as Kali Masjid, Ambajogai, District Beed within a period of six months from today.

8. All the parties agree and undertake to co-operate with the Maharashtra State Board of Wakfs, Aurangabad for the purpose of finalizing the scheme and further undertake not to raise any objection during the finalization process.

9. Needless to mention, in view of the statements made by the parties, who have moved to the learned Tribunal vide application No.20 of 2015 have agreed that the scheme itself needs to be approved in the interest of the Wakf.

10. The judgment and order dated 26.04.2019, impugned in the present Civil Revision Application, stands quashed and set aside.

11. All the parties unanimously submit that the Board meeting is scheduled on 30th October 2025 and they undertake to remain present before the Board on 30th October 2025.

[AJIT B. KADETHANKAR, J.]