

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9031 OF 2025

Haseef Ahmed Mazharuddin Ahmed & Anr

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Dhase Rahul P, for Petitioner.
- Mr. R. K. Ingole, AGP for Respondent Nos.1 to 4.

**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 19th AUGUST 2025.

P. C. :

1. Heard learned counsel for the petitioners.
2. The petitioners in this petition are seeking a direction against the respondent – Collector to decide applications filed by the petitioners in the years 2023 and 2025.
3. After having perused the writ petition and the documents filed therewith, we are unable to understand how the present writ petition filed by the petitioners can be entertained under Article 226 of the Constitution of India.
4. The documents on record show that acquisition of a particular piece of land belonging to a *Dargah*, of which the petitioners

claim to be *Mutawwalis*, was initiated as far back as in the year 1987. The award was pronounced in the year 1991 and the documents filed with the petition show that notices under Section 12(2) of the Land Acquisition Act, 1894, were issued to the Waqf Board, as far back as on 21st March 1991.

5. The petitioners evidently did not take any steps in the matter and it was after obtaining certain documents in the year 2023 that they first approached the Collector on 04th August 2023. The prayer of the petitioners pertains to their entitlement for return of the acquired land on the basis of their claim of being *Inamdars*. A prayer is also made in the said communication towards entitlement of particular amount per year from the date of the award passed in the proceedings.

6. The petitioners before this Court are unable to explain as to what exactly is their grievance and in what manner they had sought redressal of the same between 1991 and 2023.

7. It appears that the property in question was Waqf property, although the petitioners claim to be having some individual interest therein, on the basis of their claim of being *Inamdars* of the said

property. Such grievance sought to be raised in this writ petition filed under Article 226 of the Constitution of India cannot be entertained and it is for the petitioners to initiate appropriate proceedings either under the Waqf Act, 1995 or to approach the Civil Court in accordance with law as numerous disputed questions of fact would arise in such proceedings.

8. This petition appears to be another instance of the propensity in this Bench of the High Court to collect papers pertaining to acquisition proceedings that had taken place decades ago, draft certain representations addressed to the Revenue Authorities and then approach this Court under Article 226 of the Constitution of India with apparently innocuous prayer of a direction to the Revenue Authorities to decide such applications / representations. No steps are taken to identify the statutory provisions under which grievances, if any, of such individuals can be aired and appropriate reliefs that can be obtained within stipulated period of time.

9. In such a situation, the present petition cannot be entertained. Accordingly, it is dismissed.

10. Needless to say, the petitioners would be at liberty to

institute such proceedings as available in law, including proceedings under the Waqf Act, 1995, if maintainable and appropriate proceeding before the Civil Court, strictly in accordance with law.

11. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)