



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

58 CRA NO. 136 OF 2024

DR BABASAHEB AMBEDKAR MARATHWADA UNIVERSITY
THROUGH ITS REGISTRAR

VERSUS

SYED ZIYAUDDIN QUADRI SYED SADEQ ALI QUADRI AND
ANOTHER

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Advocate for Applicant : Mr. Agrawal Sumit S.

Advocate for Respondent No.1 : Mr. Yusuf S. Baugwala a/w
Khan Abdul Hakim i/b Mr. Khan Khaja Moin And Shaikh Samir
Ahmed.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 17.11.2025

PER COURT :-

1. Heard both sides.
2. Present revision application is directed against order dated 22.08.2024 rejecting application Exh. 28 filed under Section 10 of Code of Civil Procedure in Wakf Suit No.136 of 2023.
3. Applicant is original defendant No.1 who has tried to invoke Section 10 of CPC by filing application Exh.28 in the wake of Wakf Suit No.03 of 2012 filed by one Mr. Ahmed Khan. The suit is pending for the hearing. It transpires during the course of hearing of the present matter that the issues in

that suit are not placed on record. It further reveals that present Wakf Suit No.136 of 2023 is yet to be reached to the stage of casting of the issues. This Court is of the considered view that issue formulated in the suit is the relevant parameters under Section 10 of the CPC to decide the relief of stay of suit. In that view of the matter, learned counsel for the applicant submits that he may be given permission to file appropriate application after the settlement of the issues.

4. Civil Revision Application is disposed of with a liberty to the applicant to take recourse as permissible in law only after casting of the issues in Wakf Suit No.136 of 2023. This Court has not expressed any opinion on the merits of the matter. If the application is filed under Section 10 that would be decided on its own merits.

5. Needless to mention that all submissions in respect of Section 10 are kept open.

(SHAILESH P. BRAHME, J.)

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vmk/-