



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

APEAL FROM ORDER NO. 1 OF 2025

**ANIS BEGAM KHALIL KAZI AND ANOTHER
VERSUS
ABASAHEB SHAMRAO JARAD**

...
Mr. Shailendra S. Gangakhedkar, Advocate for the Appellants.
Mr. S. S. Jadhavar, Advocate for Respondent.

...

**WITH
CIVIL APPLICATION NO. 138 OF 2025
IN AO/1/2025**

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 11th MARCH, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. The order dated 05.09.2024 passed by District Judge-2, Osmanabad below Exhibit-6 in Regular Civil Appeal No.80/2022 is impugned in this Appeal against Order.
3. The Appeal which is pending before learned District Judge is arising out of order dated 29.07.2022 passed by Trial Court, thereby rejecting plaint under Order VII Rule 11 (d) of Code of Civil Procedure holding that suit is barred in view of provisions of Waqf Act, 1995.
4. In this circumstance, when very issue of jurisdiction of Civil Court is subject matter of Appeal before learned District Judge, it would be appropriate that same is adjudicated expeditiously. Therefore, without entering into merits of impugned order dated 05.09.2024, by which order of temporary injunction is passed, the

learned District Judge is directed endeavour to dispose of pending Appeal within period of six months from today.

5. Parties to co-operate for early disposal of Appeal.

6. In view of disposal of Appeal from Order, pending Civil Application stands disposed of accordingly.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2025