



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

CRA NO. 197 OF 2024

GRAM PANCHAYAT SIDDHESHWAR KUROLI THRU.
ADVMINSTRATOR IMTIYAZ ABDUL KARIM SHAIKH AND
ORS.

VERSUS

JAMA MASJID KUROLI SIDDHESHWAR THRU. CHAIRMAN
RAFIQ GANI SAYYED AND ORS.

...
Mr. Dhananjay Shrikant Patil, Advocate for the Applicants.
...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 07th JANUARY, 2025.**

P.C.:-

1. The applicants/original defendant no.1 impugns order dated 04.11.2024 passed below Exhibit 61 in Waqf Suit No.209/2017.
2. The respondent no.1 instituted Waqf Suit No.209/2017 seeking relief of declaration and perpetual injunction against defendants. In that suit, application was filed below Exhibit-5 seeking temporary injunction. The Waqf Tribunal allowed said application vide order dated 17.01.2018 and directed plaintiff and defendants to maintain status quo in respect of suit property i.e. Grampanchayat No.523 alongwith Grampanchayat No.524 of Masjid and open space, which are parts of City Survey No.281.
3. The aforesaid order is still in existence and it was never challenged by the parties. Now suit is posted at the stage of evidence. The cross-examination of witnesses of defendant no.1 is going on. At this stage, application was made seeking modification of order passed below Exhibit-5 only on the ground that some construction work is going on and that has been hampered due to impugned order. No specific contentions were advanced on merit

as to why *status quo* order dated 17.01.2018 needs to be modified. From the contents of the application, no such ground appears to have been made out, by which order of *status quo* can be modified. The Waqf Tribunal rightly considered the relevant aspects of the matter and rejected the application below Exhibit-61. No jurisdictional error can be found in approach of Waqf Tribunal. Hence, Civil Revision Application deserves to be dismissed. However, it would be in the fitness of things that Waqf Tribunal endeavours to dispose of Waqf Suit No.209/2017 within a period of nine (09) months from today. Parties to co-operate.

4. Civil Revision Application stands dismissed.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/January-2025