

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12352 OF 2018
WITH
INTERIM APPLICATION NO. 1689 OF 2025
IN
WRIT PETITION NO. 12352 OF 2018

Aslam Maqbool Junaidi & Anr ...Petitioners
Versus
The Chief Executive Officer, Maharashtra ...Respondents
State Board of Wakf Aurangabad & Ors

Mr Shaikh Mohd Hanif Bakhtavar, *for the Petitioners in*
WP/12352/2018 and for Respondent No. 1 in
IA/1689/2025.

Ms Tooba Momin, *i/b RM Momin, for the Applicant in*
IA/1689/2025 and for Respondent No. 1 in
WP/12352/2018.

CORAM **M.S. Sonak &**
 Jitendra Jain, JJ.
DATED: **26th June 2025.**

PC:-

INTERIM APPLICATION NO. 1689 OF 2025:

1. Heard learned counsel for the parties.

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2. This Interim Application seeks deletion of observations made in orders dated 12th November 2024 and 5th December 2024 and for a recall of the order for payment of costs.

3. We have perused the Interim Application. In paragraph 3 of the Application, the Applicant contends to contradict the statements in our order. Such attempt is completely casual. Once a Petition is filed and notice is issued, it is expected that replies are filed within a reasonable period. Besides in this case, they were directed to file reply and still, no reply was filed. The observations only state that.

4. There is no case made out for reviewing the order for payment of costs. In fact the Petitioner was requesting for exemplary costs, but, by way of indulgence, we restricted the costs to Rs. 25,000/- in the gone hope that at least in future this matter would be diligently attended.

5. Accordingly, we dismiss this Interim Application with costs of Rs. 5,000/-. This time, however, Mr Juned Bashir Sayyed, the Chief Executive Officer, Maharashtra State Board of Waqfs should pay the costs personally and not from the Waqf funds.

6. At this stage, learned counsel for the Applicant states that costs may not be imposed and assures the Court that the Chief Executive Officer will not file such frivolous application in future.

7. Considering this request, the costs of Rs. 5,000/- imposed by this order are now recalled.

8. Learned counsel for the Applicant states that the costs of Rs. 25,000/- have already been deposited and the same have also been withdrawn by the Petitioner.

9. The Interim Application is disposed of.

WRIT PETITION NO. 12352 OF 2018:

10. Place the matter for further consideration on 10th July 2025.

(Jitendra Jain, J)

(M. S. Sonak, J)