

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7228 OF 2025

Abrar Kadil Surme

.....Petitioner

Vs.

The State Of Maharashtra Through
Its Principle Secretary Minority Development
Department & Ors.

.....Respondents

Mr. Hamza Lakhani a/w Ms. Afsha Khan i/b Akhlaque Solkar, for the
Petitioner.

Mr. Atul Damle, Senior Advocate, with Mr. A. Khan i/b Sandesh
Ghanekar, for the Respondent No.2.

Mrs. Tanu N. Bhatia, AGP for the Respondent-State.

Ms. Divya Srivastawa, for Respondent No.3.

Ms. Nikita Lad i/b Sag Legal, for the Respondent Nos.4 & 5.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 2nd JULY 2025.

P.C.:-

1. By this Petition, the Petitioner has impugned the order
dated 20th December 2024 (Exhibit A to the Petition).

2. Learned counsel appearing for the respective Respondents
raises two preliminary objections; first, is with respect to the locus of
the Petitioner to file the aforesaid Petition or any proceeding before
any forum; and, second, availability of an alternate efficacious remedy

before the Waqf Tribunal.

3. Learned counsel appearing for the Respondent No.3 informs us that the Respondent No.3 has filed a suit before the Waqf Tribunal bearing Suit No.23 of 2025 in which the Petitioner is the Defendant No.3.

4. Heard learned counsel for the Petitioner. The Petitioner has raised disputed questions of facts, however, the same cannot be gone into, in writ jurisdiction. In view of same, we are not inclined to entertain this Writ Petition.

5. Needless to state, that it is open for the Petitioner to approach the appropriate forum, if so permissible, in accordance with law.

6. We make it clear, that we have not gone into the objection *vis-a-vis* the locus of the Petitioner to file the aforesaid Petition or any other proceeding and as such, keep all contentions of all the parties on merits, open.

7. Petition is accordingly dismissed and disposed of.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)

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signed by
SHAMBHAVI
NILESH
SHIVGAN
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