

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8818 OF 2025

Jayesh Ratilal Shah & Anr.

... Petitioners

Versus

Chief Executive Officer, Maharashtra State Waqf Board & Ors. ... Respondents

.....

Mr. Rajesh Singh a/w. Mr. Hitesh Jain for the Petitioners.
Mr. A. A. Alaspurkar, AGP for Respondent Nos.2 & 3.

CORAM : **M. S. KARNIK AND**
N. R. BORKAR, JJ.

DATED : **08th JULY, 2025.**

P.C. :

1. Heard learned counsel for the petitioners.
2. Challenge in this petition is to the order dated 12.12.2018 passed by respondent No.2. The petitioner seeks to effect his name in the revenue record on the basis of registered conveyance deed. It is submitted that even before the Waqf Board was established, the conveyance was registered. Hence, it is the contention of the learned counsel for the petitioner that no objection of the Waqf Board is not necessary.
3. It is not disputed that there is a remedy of appeal available to the petitioner against the order of respondent No.2. In our opinion, all these contentions can be raised before the appellate authority. If such contentions are raised, the appellate authority shall obviously deal with

such contentions on its own merits and in accordance with law. The period spent in prosecuting this petition is bonafide may be sympathetically considered, if the question comes up about condoning the delay in filing the appeal.

4. Keeping all contentions of the petitioners open, the petition is disposed of.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)