

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10736 OF 2025

WITH

INTERIM APPLICATION NO. 12942 OF 2025

Yakub Baig Trust (through its Chief ... Petitioner
Trustee)

V/s.

The Maharashtra State Board of ... Respondents
Waqfs and Ors.

Mr. Rajiv Patil, Senior Advocate with Sachin Punde i/by Yusuf Baugwala, for the petitioner.

Mr. Rukshin Gaira (through VC) with Ishwar Ahuja and Nikita Lad i/by Saga Legal, for the respondent nos. 1 and 2.

Ms. Tanu Bhatia, AGP, for the respondent no. 3.

Ms. Leena Patil, for the respondent no. 4.

Mr. Zia-Ul-Mustafa, for the respondent nos. 6 and 7 (through VC)

Mr. A.M. Pathan with Santosh Sitap, for the respondent no. 8.

CORAM : N.J. JAMADAR, J.

DATED : 10TH NOVEMBER 2025

ORAL ORDER:

1. Heard the learned counsel for the parties.
2. At the outset, Mr. Patil, the learned counsel for the petitioner restricts the petition to the prayer clause (viii) in the petition whereunder the petitioner seeks a direction to the Maharashtra State Waqfs Tribunal to decide the Waqf Appeal No. 25/2025, within a time

frame.

3. Waqf Appeal No. 25/2025 is preferred by the petitioner assailing an order dated 30th January 2025 passed by the Chief Executive Officer, Maharashtra State, Board of Waqf thereby declaring Yakub Baig Trust, Panvel Dist.Raigad (B-108) as a Waqf Institution.

4. Mr. Patil submitted that the petitioner/appellant has preferred an application for stay to the execution, operation and implementation of the said order. However, the said application is not heard by the Tribunal. Though the petitioner has initially challenged the order passed by the Tribunal on applications for impleadment (Exhibits-14, 17 and 21) thereby allowing the intervention applications of the applicants in applications Exhibits-14, 17 and 21; partly, yet, now, the petitioner does not intend to prosecute the said challenge and restricts the petition to the hearing the application for stay.

5. The Court is informed that the appeal and stay application are listed before the Tribunal on 18th November 2025 and the original parties to the appeal and the stay application have completed the pleadings.

6. Since by the order dated 8th July 2025, the Tribunal has allowed the intervention by the applicants in application Exhibits-14,17 and

21(partly), those applicants/intervenors are required to be impleaded as parties to the Waqf Appeal No. 25/2025 and the application for stay.

7. The petitioner/appellant shall carry out the necessary amendment in the appeal memo and application in accordance with the directions of the Tribunal on or before 15th November 2025 and serve the copies on the parties.

8. The newly impleaded respondents shall be at liberty to file the reply to the application for stay, within a period of two weeks from 18th November 2025.

9. If the pleadings are completed, the Tribunal is requested to make an endeavour to hear and decide the stay application in Waqf Appeal No. 25/2025 as expeditiously as possible and preferably within a period of eight weeks thereof.

10. Petition disposed.

(N.J. JAMADAR, J)