



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1069 OF 2024

Shamim E. BotawalaPetitioner
Vs.
The State of Maharashtra & Anr.Respondents

WITH

WRIT PETITION NO.853 OF 2024

Feroz Kassamali BhanwadiaPetitioner
Vs.
The State of Maharashtra & Anr.Respondents

WITH

WRIT PETITION NO.955 OF 2024

Feroz Kassamali BhanwadiaPetitioner
Vs.
The State of Maharashtra & Anr.Respondents

WITH

WRIT PETITION NO.1412 OF 2024

Nasruddin Kasamali JagmagPetitioner
Vs.
The State of Maharashtra & Anr.Respondents

WITH

WRIT PETITION NO.3028 OF 2023

WITH

WRIT PETITION NO.1124 OF 2023

Shakir M. Ebrahim

.....Petitioner

Vs.

The State of Maharashtra & Anr.

.....Respondents

WITH

WRIT PETITION NO.3359 OF 2023

Shahid Sadiq Kantharia

.....Petitioner

Vs.

The State of Maharashtra & Anr.

.....Respondents

Mr. Milind Sathe, Senior Advocate with Mr. Sagheer A. Khan, Mr. Sharique Nachan, Mr. Aqil S. Khan, Mr. Dawood Khan, i/by Judicare Law Associates for Petitioner in WP/853/2024.

Mr. Sagheer A. Khan, Mr. Sharique Nachan, Mr. Aqil S. Khan, Mr. Dawood Khan, Ms. Afsha Khan, i/by Judicare Law Associates for Petitioners in WP/1069/2024, WP/955/24, WP/1412/2024, WP/1124/2024, WP/3028/2024, WP/3359/2024 & WP/1352/2023.

Mr. Abhay L. Patki, Addl. G P, for Respondent Nos. 1, 2-State in WP/853/2024.

Mr. Akshay Patkar, AGP, for Respondent No. 1 and 2-State in WP/1069/2024.

Mr. Manish Upadhye, AGP for Respondent Nos. 1 and 2-State in WP/955/2024.

Mr. Vishal Zkhanavkar, AGP for Respondent Nos. 1 and 2-State in WP/3028/2023.

Smt. Prachi Tatake, Addl. G.P. for Respondent Nos. 1 and 2-State in WP/1412/2024.

Smt. Uma Palsuledesai, AGP, for Respondent Nos. 1 and 2-State in WP/1124/2024.

Mr. Himanshu Takke, AGP, for Respondent Nos. 1 and 2-State in WP/3359/2023.

Mr. Abdul Hafeez Yakub Kotwala for Respondent No. 3

**CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.**

DATE : 6th FEBRUARY 2025.

P.C.:-

1. Having heard learned counsel for the parties, by way of an interim order, we direct the Charity Commissioner, Mumbai not to transfer the papers pertaining to the Petitioners' Trust in W. P. No.1069 of 2024, W. P. No.853 of 2024, W. P. No.955 of 2024, W. P. No.3028 of 2023, W. P. No.1124 of 2023 and W. P. No.3359 of 2023, if not already transferred, till the next date and in the event, it is transferred, the same may be re-transferred to the Charity Commissioner, Mumbai, considering that the learned APP had earlier made an oral statement that the proceeding in question would not be transferred from the Charity Commissioner to the Waqf Board.

2. Stand over to **21st February 2025.**

3. As far as Writ Petition No.1412 of 2024 is concerned, learned APP states that the papers have already been transferred from

the Charity Commissioner's Office in Mumbai to the Waqf Board in Aurangabad.

4. In view of the aforesaid, the papers pertaining to Petitioners' Trust in W. P. No.1412 of 2024 to be resent by the Waqf Board, Aurangabad to the Charity Commissioner, Mumbai.

DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)