

01.07.2026
Court No.25
D/L No.21
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 3305 of 2026
Raqueib Ahmed & Ors.
Versus
State of West Bengal & Ors.

Mr. Gour Baran Sau

...for the Petitioners

Mr. Nadeem Sulaiman

...for the Wakf Board

1. The only grievance of the petitioners in the present writ application that the petitioners have preferred an appeal before the Principal Secretary, Minorities Affairs and Madrasah Education, Government of West Bengal under Section 65(2) of the Wakf Act, 1995 arising out of order/resolution dated October 5, 2023 passed by the Board of Wakf, West Bengal.
2. Learned counsel for the petitioners submits that the appeal preferred by the petitioners is pending before the Principal Secretary but till date the appeal has not been disposed of and prays for a direction upon the Principal Secretary for disposal of the appeal.
3. Learned counsel for the respondents raised the objection on maintainability and submits that any matter connected with the wakf property is not maintainable either in the civil suit or in the writ jurisdiction.
4. This Court finds that the petitioners have not prayed for any adjudication of the wakf property, only the

prayer of the petitioners for disposal of the appeal filed by the petitioners by the Principal Secretary under Section 65(2) of the Wakf Act, 1995.

5. In view of the above, the writ petition being WPA 3305 of 2026 is disposed of by directing the respondent No.2 to consider and dispose of the appeal preferred by the petitioners against the order passed by the Board of Wakf dated October 5, 2023 within a period of eight weeks from the date of receipt of this order by giving an opportunity of hearing to the petitioners.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
7. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)