

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 5557 of 2009

Date of decision : November 18, 2010

Satnam Singh and another

....Petitioner

versus

Punjab Wakf Board

....Respondent

Coram: Hon'ble Mr. Justice L.N. Mittal

Present : Mr. Anupam Bhardwaj, Advocate, for the petitioners

Mr. Jai Bhagwan, Advocate, for the respondent

L.N. Mittal, J. (Oral)

Suit filed by respondent-plaintiff-Punjab Wakf Board against the petitioners stands decreed by learned Additional District Judge-cum-Presiding Officer, Wakf Tribunal, Amritsar vide impugned judgment and decree dated 20.7.2009 for possession of the suit land.

Learned counsel for the petitioners states that the petitioners admit that the suit land vests in Punjab Wakf Board.

In view of the aforesaid, learned counsel for the parties state that Wakf Tribunal had no jurisdiction to try suit for possession of the suit land in view of law laid down by Hon'ble Supreme Court in **Ramesh Gobindram (dead) through LR versus Sugra Humayun Mirza Wakf, 2010(2) Rent Control Reports 266.** In view of judgment of Hon'ble Supreme Court in **Ramesh Gobindram** (supra), this plea has to be

accepted. It is, thus, manifest that learned Wakf Tribunal which passed the impugned judgment and decree had no jurisdiction to try the suit.

In view of the aforesaid, the instant revision petition is allowed and impugned judgment and decree dated 20.7.2009, Annexure P/1 passed by learned Additional District Judge-cum-Wakf Tribunal, Amritsar are set aside and plaint instituted by respondent-plaintiff is ordered to be returned to it for presentation in court of competent jurisdiction. Respondent-plaintiff is directed to appear before the Wakf Tribunal on 22.12.2010 for receiving back the plaint.

Records of the Wakf Tribunal be sent back at once.

November 18, 2010

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**(L.N. Mittal)
Judge**