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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CWP-6703-2026 (O&M)

Date of decision: 27.03.2026

Arif and another

....Petitioners

Vs.

State of Haryana and another

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Sarfraz Hussan, Advocate and
Mr. Akash Sheoran, Advocate
for the petitioners.

Sh. Parvindra S. Chauhan, A.G., Haryana assisted by
Sh. Pankaj Mulwani, Sr. DAG, Haryana.

HARSH BUNGER J. (Oral)

1 Petition herein is, *inter alia*, seeking a writ in the nature of Mandamus, directing the respondents not to take any coercive steps against petitioners in execution proceedings as regards *ex parte* judgment and decree dated 14.03.2023 (Annexure P-1) passed by learned Wakf Tribunal, Rohtak, during the pendency of petitioners application under Order 9 Rule 13 CPC (Annexure P-2) before the learned Wakf Tribunal, Rohtak; as the learned Tribunal is not operational (as on date).

2. Learned counsel for the petitioners submits that in a suit for possession and permanent injunction filed by the Haryana Wakf Board before the learned Wakf Tribunal, Rohtak, an *ex parte* judgment and decree dated 14.03.2023 (Annexure P-1) has been passed against the petitioners. He further submits that petitioner has already filed an application under Order 9 Rule 13 CPC (Annexure P-2) seeking setting aside of the abovesaid *ex parte*



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judgment and decree dated 14.03.2023 (Annexure P-1); however, since the learned Wakf Tribunal is not functional as on date (on account of non-appointment of Members thereto); on the other hand, the aforesaid *ex parte* judgment and decree is being sought to be implemented.

3. Notice of motion.

4. Sh. Parvindra S. Chauhan, Learned Advocate General, Haryana along with Sh. Pankaj Mulwani, Sr. DAG, Haryana appears on behalf of the respondents-State, in pursuance of the advance copy of paper book having already been supplied to them and submits that learned Wakf Tribunal, Rohtak would be functional by 30.04.2026 and since, the execution application in respect of *ex parte* judgment and decree dated 14.03.2023 is listed for 19.05.2026; accordingly, the petitioners would be at liberty to raise their grievances before the learned Wakf Tribunal, Rohtak.

5. Keeping in view the aforesaid stand taken by the learned State counsel, no further order is required to be passed and the present writ petition stands disposed of, accordingly.

6. All the pending application(s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

27.03.2026
ankit

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No