

**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

BEFORE

HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA

ON THE 20th OF MAY, 2024

WRIT PETITION No. 11317 of 2024

BETWEEN:-

**SYED DILSHAD ALI S/O
SHRI S. SHAREEF ALI,
AGED ABOUT 38 YEARS,
OCCUPATION:
PROFESSIONAL
/ADVOCATE R/O 198, VFJ
COLONY, MADHAI,
JABALPUR (MADHYA
PRADESH)**

.....PETITIONER

(BY SHRI ISHTIYAQ HUSSAIN - ADVOCATE)

AND

- 1. THE STATE OF
MADHYA PRADESH
THROUGH ITS
PRINCIPAL
SECRETARY
MINISTRY OF
REVENUE
MANTRALAYA,
BHOPAL (MADHYA
PRADESH)**
- 2. THE SUB DIVISIONAL
OFFICER/MAGISTRATE
RANJHI DIVISION
JABALPUR (MADHYA
PRADESH)**
- 3. THE NAIB
TAHSILDAR RANJHI
JABALPUR (MADHYA
PRADESH)**

....RESPONDENTS

(BY SHRI MOHAN SAUSARKAR – GOVT. ADVOCATE)

This petition coming on for admission this day, the court passed the following:

ORDER

1. This petition under Article 226 of the Constitution of India has been filed, seeking the following reliefs :-
 - i) to call for the relevant records from the respondent No.2 and 3.
 - ii) the proceedings initiated vide annexure P/1 be quashed including the interim order, Annexure P/3 being wholly without jurisdiction in view of the provisions of section 85 of the Wakf Act, 1995;
 - iii) in the alternative direct to the respondent No.2 to decide the question of tenability and maintainability of the proceedings before him by way of a speaking order within a time frame to be fixed by this Honourable Court; and
 - iv) Any other relief which is Honourable Court deems fit in the facts and circumstances of the case be granted in favour of the petitioner.
2. It is submitted by Shri Mohan Sausarkar that a preliminary objection has been filed with regard to the maintainability of the proceedings. The next date before the S.D.O. Ranjhi District Jabalpur is 10.7.2024 and it is submitted that on the said date, all preliminary objections shall be decided positively.
3. Accordingly, this petition is **disposed of** with a direction that the S.D.O. Ranjhi, District Jabalpur shall positively hear the parties on **10.7.2024** on the question of various preliminary objections raised by the parties and shall decide the same by passing a reasoned order within a period of five days thereafter.

4. Needless to mention that this Court has not considered the merits / demerits of the case and the objection(s) shall be decided strictly in accordance with law without getting influenced or prejudiced by this direction.

(G.S. AHLUWALIA)
JUDGE

HS