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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6382/2024 and CM APPL.26514/2024

MASJID AND DARGAH SHAH ABDUL SALAM THROUGH ITS
MUTAWALLI SHRI MOHD MOHIUDDINPetitioner

Through: Mr. Wajeeh Shafiq and Ms. Mudassar
Jahan Faridi, Advs. (through v/c)

versus

THE GOVERNMENT OF NCT OF DELHI THROUGH OFFICE OF
LIEUTENANT GOVERNOR DELHI & ANR.Respondents

Through: Mr. Sumit K. Batra, Ms. Priyanka
Jindal, Advs. and Mr. Reetesh, Law
Secretary (through v/c).

Mr. Farhat Jahan Rehmani, ASC,
Mohd Danish and Ms. Fatima
Parveen, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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16.12.2025

1. An updated status report has been filed on behalf of the respondent
no.1 in terms of order dated 10.11.2025. The same *inter-alia* states as under:

“3. That the Hon’ble Lt. Governor of NCT of Delhi had recommended the name of Sh. Rais Khan Pathan as member (person having knowledge of Muslim Law and Jurisprudence) of Waqf Tribunal under Section 83(4)(c) for obtaining the approval of Hon’ble President through MHA, Govt, of India under Section 45(D)(a) of the GNCTD Act 1991 vide letter dated 23.10.2024. The copy of the letter dated 23.10.2024 is enclosed as Annexure-I.

4. That a letter F.No.(468)/99/GA/Estt./DC/Pt.File/299-302 dated 17.04.2025 was sent to the Registrar (Admn.), the Hon’ble High Court of Delhi with the request to provide the name & bio-data of an eligible Judicial officer for Presiding Officer/Chairman, Waqf Tribunal as Sh. Sumit Das, ADJ has been transferred vide order dated 25.10.2024 of the Hon’ble High Court of Delhi

5. That vide Courts posting/transfer order No. 37/D3/Gaz-IA/DHC/2024 dated 25.10.2024, Sh. Harvinder Singh Johal, ADJ-02 was nominated as Chairman/



*Presiding Officer of Waqf Tribunal as per Section 83(4) (a) of the Waqf Act, 1995. The copy of the letter dated 25.10.2024 is enclosed as **Annexure-II**.*

6. That as per the direction of Ministry of Home Affairs, Govt, of India vide letter dated 27.02.2025, the proposal for appointment of a private person as a member of Waqf Tribunal, which was under consideration was sent back for seeking view of the new elected Government and for taking further necessary action for constitution of Waqf Tribunal.

7. That the matter was perused by the current dispensation and the matter accordingly, after due consideration, the file for appointment of members to Waqf Tribunal was forwarded by the office of Hon'ble Chief Minister to the office of the Hon'ble Lieutenant Governor on 17.09.2025.

8. That in terms of Section 45D of the Government of National Capital Territory of Delhi Act, 1991, constitution or appointment of any member or office bearer to any authority, board, commission or any statutory body, by whatever name it may be called, in respect of any law made by the Parliament for the time being in force, applicable to NCT of Delhi, shall be constituted or appointed or nominated by the President. Therefore, post approval by the Government of NCT of Delhi, the file for appointment of members was forwarded to the office of the Hon'ble Lieutenant Governor on 17.09.2025.

9. That subsequent to the aforesaid, the file being marked to the Hon'ble Lt. Governor, NCT of Delhi on 17.09.2025 and based upon the recommendation of the Office of the Hon'ble Lt. Governor, NCT of Delhi, vide a letter bearing No. 609-611 dated 23.09.2025 the file was sent to the Ld. Additional Secretary (UT), Ministry of Home Affairs, Govt, of India for taking approval of Hon'ble President in terms of Section 45 (D)(a) of the GNCTDA Act, 1991.

*Copy of the letter bearing No.609-611 dated 23.09.2025 is enclosed as **Annexure-III**.*

10. That in response thereto, the Ministry of Home Affairs, Government of India vide letter bearing No. F.No. 14011/46/2024-Delhi-I dated 25.09.2025 has conveyed that the proposal for approval of the Hon'ble President under Section 45(D)(a) of the GNCTD Act, 1991 for appointment of a particular private person (in addition to the ADM, New Delhi) as Member of the Delhi Waqf Tribunal was considered, and it was desired that a fresh proposal suggesting the name of some other private person be submitted for consideration of the competent authority.

*Copy of the letter bearing No. F.No. 14011/46/2024-Delhi-I dated 25.09.2025 is enclosed as **Annexure-IV**.*



11. That accordingly, the Minority Affairs Branch issued a letter bearing F.No.(468)/99/GA/Estt./DC/Pt.File/623-625 dated 17.10.2025 to the Executive Officer, Delhi State Haj Committee, requesting that the name of a private person having knowledge of Muslim Law and Jurisprudence be suggested for appointment as Member under Section 83(4)(c) of the Waqf Act, 1995.

Copy of the letter bearing F.No.(468)/99GA/Estt./DC/Pt.File/623-625 dated 17.10.2025 is enclosed as **Annexure-V**.

12. That accordingly, Delhi State Haj Committee vide letter F. No.DSHC/06/2025-2026/353 dated 11.11.2025 (**Annexure-VI**) has provided the panel of such scholars who as per the Delhi State Haj Committee are having knowledge of Muslim Law and Jurisprudence and can be appointed as member as per under Section 83 (4) (c):-

S. No.	Name of the Scholars	Address
1.	Padam Shri Prof. Akhtarul Wasey	H. No. 32, Arun Vihar, Ward-11A, Sector-37, Noida-201303. Mob: +91-9810541045 Email: wasey27@gmail.com
2.	Dr. Zafrul Islam Khan	D-84, Abul Fazal Enclave-1, Jamia Nagar, New Delhi-110025. Mob: 9811142151 Email: zik@zik.in
3.	Mr. Muhammad Raziul Islam Nadvi	D-315, Abul Fazal Enclave, Jamia Nagar, New Delhi-110025. Mob: 9582050234 Email: mmadvi@gmail.com
3.	Dr. Syed Qasim Rasool Ilyas	E-19, Street No. 4, Johri Farm, Noor Nagar Extn., Jamia Nagar, New Delhi-110025. Mob: 9811828444

13. That in addition to the above, as per posting/transfer Order No. 40/D-3/Gaz.IA/DHC/2025 dated 17.10.2025 as available on the website of Hon'ble High Court of Delhi, the following District Judge has been appointed as Presiding Officer of the Delhi Waqf Tribunal as per Section 83 (4) (a) of the Waqf Act, 1995:-



S. No.	Name of the Officer Mr./MS	Posting
1.	Pankaj Sharma	District Judge-02+Wakf Tribunal, New Delhi, PHC.

Since, the above mentioned information is extracted from the website and no official confirmation has been received, therefore, as per the practice in normal course, a letter bearing No. 661 dated 01.12.2025 has been issued to the Ld. Registrar of this Hon'ble Court, seeking names and bio-data of eligible Judicial Officer for the same. Once the name of the Judicial officer for Presiding Officer/Chairman, Waqf Tribunal is received from the Hon'ble High Court, a consolidated proposal for constitution of Waqf Tribunal in Delhi will be placed expeditiously before the Hon'ble Lt. Governor, NCT of Delhi for approval.

*Copy of the letter bearing No. (468)/99/GA/Estt./DC/Pt.File/661 dated 01.12.2025 issued to the Ld. Registrar of this Hon'ble Court is annexed herewith as **Annexure-VII**.*

That it is submitted that the matter is being diligently pursued by the Government of NCT of Delhi and all necessary steps are being taken to ensure early constitution of the Delhi Waqf Tribunal upon completion of the prescribed procedure and receipt of the requisite approvals from the competent authority. However, owing to the fact that Ministry of Home Affairs has sought for recommendation of another name of a private person and because of this fact that Sh. Harvinder Singh Johal, ADJ-02 has been transferred and it is being shown that Sh. Pankaj Sharma ADJ-02 is appointed and confirmation in this regard is pending from the Ld. Registrar of this Hon'ble Court, the process is still underway.

15. In view of the submissions made in the foregoing paragraphs, it is humbly prayed that the Hon'ble High Court may graciously be pleased take the present updated status report on record."

2. The Law Secretary, who appears virtually, submits that the matter is being pursued diligently by the Govt. of NCT of Delhi (GNCTD) and all necessary steps are being taken to ensure that the Waqf Tribunal is constituted expeditiously. He submits that the constitution of the Waqf Tribunal is likely to be completed in any event within two months from



today.

3. List on 23.02.2026.

DECEMBER 16, 2025/cl

SACHIN DATTA, J