

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL REVISION APPLICATION NO. 553 of 2021**=====
GUJARAT STATE WAKF BOARD**Versus****GUJARAT STATE WAKF TRIBUNAL AT GANDHINAGAR**
=====**Appearance:****MR MANISH S SHAH(5859) for the Applicant(s) No. 1**
for the Opponent(s) No. 1,2,2.1,2.2,2.3,2.4,3=====
CORAM:HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI**Date : 09/12/2021****ORAL ORDER**

Heard learned advocate, Mr. Manish Shah appearing for the applicant.

Learned advocate has referred to the provision contained in Section 61 of the Waqf Act, 1995 and pointed out that if a Mutawalli fails to do a particular thing, complaint can be filed against him, that too, by an authorized officer of the board, however in the present case, while passing an impugned order, the Tribunal has directed the Board to file complaint under Section 61 of the Waqf Act, 1995 against the original respondent no.1 i.e. respondent no.3 herein, who is in unauthorized occupation of the waqf property.

In view of the above submissions, issue requires consideration.

Hence, Rule returnable on 21st February, 2022.

Till next date of hearing, Direction No.7 issued by the Tribunal is hereby stayed.

(VIPUL M. PANCHOLI, J.)

Gautam