

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 25961 of 2022**

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MUHAMMAD FAROOQ ABDUL QADAR MEMON
Versus
GUJARAT STATE WAQF BOARD

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Appearance:

MR MAKBUL I MANSURI(2694) for the Petitioner(s) No. 1,2
MS SABINA M MANSURI(3631) for the Petitioner(s) No. 1,2
for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE BIREN VAISHNAV**Date : 02/01/2023****ORAL ORDER**

1. Heard Mr.M.T.M.Hakim learned advocate for Mr.Makbul Mansuri learned advocate for the petitioners.
2. Challenge in this petition is to the order of the Waqf Board dated 22.07.2022, by which, a change report filed by the respondent no.3 has been accepted. It is the contention of the learned advocate for the petitioner that despite an order passed by this Court on 05.10.2021 in Special Civil Application No.4334 of 2021, by

which, the proceedings were remanded to the Board for fresh hearing indicating that an order be passed after hearing the petitioners, the order has been so passed only recording written submissions.

3. Issue **NOTICE** to the respondents returnable on 23.01.2023.

4. The respondents to show cause as to why the proceedings should not be sent back to the Board for a fresh hearing, especially in light of the submission made by the learned counsel for the petitioner including the submission that the author of the order i.e. CEO of the Board could not have passed the order in his singular capacity.

Direct service is permitted.