

**Kalyan Singh Vs. The Chief Executive Officer, H.P.  
Waqf Board & Anr.**

**RFA No. 82/2026**

19.06.2026 Present: Mr. Rajesh Prakash, Advocate, vice Mr. Sunny Modgil, Advocate, for the appellant.

Mr. R.K. Bawa, Senior Advocate with Mr. Abhinandan Thakur, Advocate, for respondent No. 1.

**RFA No. 82/2026 & CMP No. 14199/2026**

At this stage notice is only confined to respondent No. 1. Mr. Abhinandan Thakur, Advocate, accepts service of notice on behalf of respondent No. 1.

Learned Senior Counsel appearing on behalf of respondent No. 1 stated that present regular first appeal is not maintainable. In support of his contentions, he placed reliance upon the judgment dated 16.11.2016, passed by learned Division Bench of this Court in a batch of appeals, lead case being LPA No. 210 of 2015, titled Mumtaz Ahmed Vs. State of H.P. and Others, wherein it has been held as under:-

*“32. In terms of proviso to Sub Section (9) of Section 83 of the Act, any person aggrieved by the orders of the Tribunals can invoke the revisional jurisdiction of the High Court. Thus, remedy is provided to the aggrieved person by way of filing revision petition and not by the medium of appeal.*

*The Act contains the mechanism for filing revision petition, thus, providing efficacious alternative remedy to the aggrieved party, rendering the writ petition not maintainable against the orders passed by the Tribunal. This view has been taken by this Court in case titled as M/s Indian Technomac Company Ltd. versus State of H.P. & others, being CWP No.4779 of*

2014, decided on 4th August, 2014, and restated in plethora of judgments.

*In a similar case, the High Court of Andhra Pradesh in case titled as Mohd. Abdul Kareem And Anr. vs. Andhra Pradesh State Wakf Board, 2004(2) ALD 345, held that the jurisdiction of the High Court in disputes pertaining to Wakfs can be invoked by way of filing revision petition and not by the medium of a writ petition. It is apt to reproduce paragraph 13 of the said decision hereunder:*

*“13. As seen from the above, the jurisdiction of the High Court in disputes relating to Wakfs can be invoked only when an aggrieved party files a revision petition under Sub-section (9) of Section 83 of the Act and a writ. petition would not be maintainable. In view of the binding precedents, this Court is not inclined to go into the merits of the contentions on other two questions raised by the learned Counsel for respective parties. These are left open to be decided at an appropriate stage in appropriate proceedings.”*

Confronted with this, learned vice counsel for the appellant prays for and is granted two weeks' time to obtain further instructions in the matter. List thereafter.

**( Sushil Kukreja )  
Judge**

**19<sup>th</sup> June, 2026**  
(raman)