

30.03.2026
Item No.39
Ct. No. 30
Aloke

**WPA 4365 of 2023
with
CAM 1 of 2024
CAN 2 of 2024
CAN 4 of 2025
CAN 5 of 2025**

**Aga Md. Arshad
Vs
The Board of Wakfs & Ors.**

Mr. Rauf Rahim, Id. Sr. Adv.
Mr. Tanvir Hossain
... for the petitioner

Mr. Probal Mukherjee, Id. Sr. Adv.
Mr. Anup Kr. Mukhopadhyay
Mr. Md. Shadab Siddique
... for the O.P. No. 4

Mr. Rajarshi Basu
Mr. S.T. Mina
... for the State

Sk. Md. Galib
Mr. Abu Siddique Mallik
... for the opposite party nos. 1 &2/
Board of Wakf

Mr. Alok Kr. Ghosh
Mr. Altamas
... for the KMC

1. CAN 5 of 2025 is moved praying for recall the order dated 3rd January, 2025 passed by this Hon'ble Court in CAN 3 of 2024 filed in connection with C.O. No. 4365 of 2023 and setting aside the same.
2. It is the contention of the learned counsel for the opposite party no. 4, that vide an order dated 03.01.2025, the High Court by allowing an application being CAN 3 of 2024 had expunged the name of Syed Kamaluddin

Hossain, the then Mutwali who died on 21.06.2024.

3. Learned counsel for the opposite party no. 4/applicant submits that subsequently the office of the Board of Auqaf vide an order dated 30.10.2025 appointed new Mutwalis in place of the deceased Mutwali.
4. The applicant now seeks to implead the present Mutwalis as added opposite parties in this case.
5. Written note has been submitted by the petitioner herein, wherein the nature and character of the property in the present case has been disputed. As the said submission relates to the merits of the case, the said issue will be considered at the time of final hearing of the civil revision.
6. It is made clear, that the applicants are being added as parties to the revisional application to enable the hearing of the revisional application and their locus standi shall be subject to the final decision in the revisional application.
7. Let the names of the applicants be added as opposite parties no. 4 series, and also be noted in the cause title of the revisional application.
8. Department to note the same.

9. Petitioner shall serve a copy of the revisional application and the other pleadings upon the learned counsel for the added opposite parties.
10. Considering the issue involved in the present revision, affidavits are necessary.
11. Accordingly, let affidavit-in-opposition be filed by 30th April, 2026. Reply, if any, thereto, be filed by 20th May, 2026.
12. CAN 5 of 2025 stands disposed of.
13. CAN 4 of 2025 being not pressed stands disposed of as 'not pressed'.
14. Parties to file their written notes.
15. Matter be listed in the **monthly list of June, 2026.**

(Shampa Dutt (Paul), J.)