

S U P R E M E      C O U R T   O F      I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).21919/2010

(From the judgement and order dated 23/03/2010 in CR No. 2612/2009  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SUNIL KUMAR

Petitioner(s)

VERSUS

PUNJAB WAKF BOARD

Respondent(s)

(With prayer for interim relief and office report )

Date: 15/04/2011      This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s)      Mrs. Mona K. Rajvanshi, Adv.  
   Mr. Anurag Kashyap, Adv.

For Respondent(s)      Mr. Imtiaz Ahmed, Adv.for  
   M/S.Equity Lex Associates

UPON hearing counsel the Court made the following  
O R D E R

Leave granted.

The Appeal is dismissed in terms of the signed  
order.

We also direct the Civil Court to decide the suit  
expeditiously in accordance with law. No costs.

(Parveen Kr. Chawla)  
Court Master

(Indu Satija)  
Court Master

[signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3277 OF 2011  
(Arising from SLP(C) No.21919/2010)

Sunil Kumar

..Appellant

versus

Punjab Wakf Board

..Respondent

O R D E R

Leave granted.

Heard learned counsel for the parties.

This Appeal has been filed against the impugned judgment and order dated 23rd March, 2010 passed by the High Court of Punjab & Haryana at Chandigarh in Civil Revision No. 2612 of 2009.

The facts have been set out in the impugned order and hence we are not repeating the same here.

On the facts of the case, we are not inclined to interfere with the impugned order as it has been held in Ramesh Gobindram (Dead) Through Lrs. vs. Sugra Humayun Mirza Wakf (2010) 8 SCC 726 that an eviction suit related to wakf property is to be tried by the Civil Court and not by the Wakf Tribunal.

Hence, this appeal is dismissed but we permit that the evidence which was placed before the Wakf Tribunal to be now placed before the Civil Court so that there may not be unnecessary duplication and wastage of time. We also direct

CIVIL APPEAL Arising from SLP(C) No.21919/2010

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the Civil Court to decide the suit expeditiously in accordance with law. No costs.

.....J.  
[MARKANDEY KATJU]

NEW DELHI;  
APRIL 15, 2011

.....J.  
[GYAN SUDHA MISRA]