



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28<sup>TH</sup> DAY OF MARCH, 2024

BEFORE

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

REVIEW PETITION NO. 566 OF 2023

**BETWEEN:**

AHMED RASOOL  
S/O LATE ABDUL SATTAR  
AGED ABOUT 50 YEARS,  
R/AT NO.173, NOW AS NO.777  
PUTTENAHALLI MAIN ROAD,  
MASJID ROAD, OPP. GOVT. URDU SCHOOL,  
YELAHANKA, BANGALORE-64.

...PETITIONER

(BY SRI. MOHAMMED TAHIR, ADVOCATE)

**AND:**

1. KARNATAKA STATE BOARD OF WAKF  
EMPLOYEES ASSOCIATION  
NO.6, CUNNINGHAM ROAD,  
BANGALORE -560 052  
REPRESENTED BY ITS SECRETARY.
2. HAMIDULLA S ANSARI  
S/O ABDUL WAHAB ANSARI  
AGED ABOUT 56 YEARS,  
R/AT NO.26, CHINNASWAMY,  
MUDALIAR ROAD, RASKAR TOWN,  
BANGALORE -560 051.
3. THE STATE BOARD OF WAKF  
NO.6, CUNNINGHAM ROAD,  
BANGALORE -560 052  
REPRESENTED BY ITS  
CHIEF EXECUTIVE OFFICER.

Digitally signed by  
R HEMALATHA  
Location: HIGH  
COURT OF  
KARNATAKA



4. JAMIA MASJID YELAHANKA  
BY ITS ADMINISTRATOR/ MUTTAVALLI,  
YELAHANKA, BANGALORE -560 064.
5. THE KARNATAKA WAKF PROTECTION  
JOINT ACTION COMMITTEE  
BANGALORE, AIRPORT ROAD,  
OPP DENA BANK, KODIHALLI  
BANGALORE -560008.
6. SYED ASLAM, S/O NOT KNOWN,  
AGED ABOUT 60 YEARS,  
R/AT NO.1526/1  
3RD CROSS, SUGGAPPA LAYOUT,  
YELAHANKA, BANGALORE -560064.
7. SYED NAWAZ  
S/O SYED PESERU  
AGED ABOUT 60 YEARS,  
MASJID CROSS ROAD,  
YALAHANKA  
BANGALORE-560064.

...RESPONDENTS

(BY SRI. P.S. MALIPATIL, ADVOCATE FOR R-1;  
SRI. ANAND KUMAR M., ADVOCATE FOR R-2;  
SMT. SWATHI ASHOK, ADVOCATE FOR R-3;  
NOTICE TO R4 & R6 - SERVED V/O DATED 28.03.2024;  
NOTICE TO R5 AND R7 IS DISPENSED WITH)

THIS REVIEW PETITION IS FILED UNDER ORDER 47 RULE 1  
AND 2 OF CPC, PRAYING TO APPRECIATE THIS REVIEW PETITION  
AND TO REVIEW THE IMPUGNED ORDER DATED 23/01/2023 AT  
ANNEXURE-A AND RESTORE THE CRP NO.450/2016 IN THE FILES  
OF THIS HON'BLE COURT TO CONSIDER THE CRP AFRESH.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, THE  
COURT MADE THE FOLLOWING:

### **ORDER**

Respondent No.3 had challenged the confirmation of sale in  
favour of the writ petitioner i.e. respondent No.1 by respondents  
No.3 to 6 in the writ petition before the Karnataka Wakf Tribunal.



The Wakf Tribunal allowed the application and set aside the confirmation of sale in favour of respondent No.1, against which CRP No.450/2016 was filed.

2. During pendency of the CRP, respondent No.3 died and this Court vide order dated 23.01.2023 set aside the order passed by the Wakf Tribunal and confirmed the sale in favour of the writ petitioner - respondent No.1 herein. Petitioner claims to be the legal representative of deceased respondent No.5 in CRP No.450/2016 and his grievance is that the order was passed without bringing the legal representatives of deceased respondent No.5 in CRP. The respondent No.5 had not claimed any individual interest in the property which was auctioned in favour of the writ petitioner - respondent No.1 herein. However, only claim interest in the Wakf. Therefore, the petitioner has not subsisting interest in this petition. Accordingly, the petition stands dismissed.

Pending I.As., does not survive for consideration, and stands disposed of.

**Sd/-**  
**JUDGE**

AP/HR