



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH 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