

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No.2147 OF 2024
(Arising out of SLP(Cr1.)No.5455 of 2024)

JUMMA MASJID TRUST COMMITTEE

... APPELLANT

Versus

THE STATE OF MAHARASHTRA & ORS.

... RESPONDENTS

O R D E R

1. Leave granted.
2. We have heard learned Senior Counsel/counsel for the parties and perused the record.
3. In compliance of order dated 10.04.2024, the Chief Executive Officer, Maharashtra State Board of Wakfs, is present in Court.
4. The impugned judgment dated 04.04.2024, passed by the High Court of Judicature at Bombay, Bench at Aurangabad, is modified to the extent below and the interim stay granted on 10.04.2024 is also clarified in the following terms:

(i) The key of the main entrance gate of the entire compound shall remain with the Municipal Council.

(ii) There shall be *status quo* with regard to the Masjid compound and the same shall be under the management and control of the Wakfs Board or the appellant-Committee with the consent of the Wakfs Board till further orders.

(iii) The ingress and egress to other temples or monuments in the main compound shall be free from all types of

hindrances and the people of other religions and/or public at large shall be allowed to visit the other ancient monuments/temples without any disturbance.

(iv) The key of the rear side gate shall also remain with the Municipal Council, however, it shall be the duty and responsibility of the Municipal Council to depute an official to open that gate well before the time for Namaz starts in the morning and till all the Namaz are performed through the day.

(v) The keys shall be handed over to the Chief Executive Officer/Executive Officer of the Municipal Council during the course of the day.

(vi) However, no encroachment of any type shall be made by any of the parties.

5. Learned Senior Counsel/counsel for the parties are agreed that the matter may be disposed of in the above terms. Ordered accordingly.

6. All other issues will be resolved by the Collector in the pending proceedings.

7. It is clarified that we have not expressed any opinion on the merits of the pending proceedings.

.....J.
(SURYA KANT)

.....J.
(K.V. VISWANATHAN)

NEW DELHI;
APRIL 19, 2024.

ITEM NO.26

COURT NO.4

SECTION II-A

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 (CrI.) No(s).5455/2024

(Arising out of impugned final judgment and order dated 04-04-2024 in CRWP No.1026/2023 passed by the High Court of Judicature at Bombay at Aurangabad)

JUMMA MASJID TRUST COMMITTEE

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

Date : 19-04-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. S. S. Kazi, Adv.
Mr. Syed Ahmed Saud, Adv.
Mr. Daanish Ahmed Syed, Adv.
Mr. Mohd. Parvez Dabas, Adv.
Mr. Uzmi Jamil Hussain, Adv.
Mr. Aqib Baig, Adv.
For M/S. Shakil Ahmad Syed, AOR

For Respondent(s) Mr. Sudhanshu S Choudhary, Sr. Adv.
Mr. Najam Deshmukh, Adv.
Mr. Rizwan Ahmad, AOR
Mr. Shakeel Ahmed, Adv.

Ms. Madhvi Garodia Divan, Sr. Adv.
Mr. Nishant Katneswarkar, Adv.
Mr. Nachiketa Joshi, Adv.
Mr. Santosh Kumar, Adv.
Mr. Praneet Pranav, Adv.
Mr. Ajay Awasthi, Adv.
Ms. Alapana Sharma, Adv.
Ms. Shiwani Tushir, Adv.
Mr. Tarun Gulia, Adv.
Mr. Vikash Chandra Shukla, AOR

Mr. Guru Krishna Kumar, Sr. Adv.
Mr. Sobodh S. Patil, Adv.
Mr. Ashwin K., Adv.
Mr. Vishesh Goyal, Adv.

Mr. Siddharth Dharmadhikari, Adv.

Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Preet S. Phanse, Adv.
Mr. Adarsh Dubey, Adv.
Ms. Yamini Singh, Adv.

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

Leave granted.

The matter is disposed of in terms of the signed order.

As a result, pending interlocutory application, if any,
also stands disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)

(Signed order is placed on the file)