

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10866-10867 OF 2010

IN THE MATTER OF:-

M. Siddiq (D) Thr. Lrs. ... Appellant

VERSUS

Mahant Suresh Das & Ors. etc. etc. ... Respondents

AND

OTHER CONNECTED CIVIL APPEALS

I. Statement on behalf of the Appellants (Muslim Parties) before the Hon'ble Supreme Court:

1. We are taken aback by the media reports attributed by Mr Shahid Rizvi, Advocate on record that U.P. Sunni Central Waqf Board was willing to withdraw the claim on site of the Babri Masjid.
2. This was broadcasted by all the Media agencies and newspapers that U.P. Sunni Central Waqf Board has agreed to abandon their claim subject to certain conditions.
3. This news was obviously leaked out either by the Mediation Committee or Nirvani Akhara which claim the right on the Mosque or others.

II. We are given to understand that when Mediation began while the Supreme Court was hearing the matter without affecting the hearing, only the limited persons attended this mediation which were Dharma Das of Nirvani Akhara, Mr. Zufar Faruqui of Sunni Central Waqf Board and Mr. Chakrapani of Hindu Maha Sabha. We are also made to understand that the two other persons interested may attended the mediation.

III. It is difficult to accept that any mediation could have been done under the circumstances especially when the main Hindu parties had openly stated that they were not open to any settlement and all the other Muslim Appellants made it clear, but, they would not do so.

IV. It is also pertinent to note that Mr. Sriram Panchu, Sr. Advocate and mediation committee member had sent a communication to the Hon'ble

Chief Justice of India that protection be granted to Mr. Zafar Faruqui and the State of U P was directed to make arrangements for him. On 16th of Oct, while the case was being heard, a further communication was received from Mr. Panchu on behalf of Mediation Committee, but that was not disclosed.

V. We the undersigned wish to publicly state on record that:

- a) The recent attempts before Mediation Committee were not representative.
- b) That the leak to the press may have been inspired by either Mediation Committee directly or those who participated in the said mediation proceedings or participants. (It needs emphasis that such a leak was in total violation of the orders of the Supreme court that had directed that such proceedings should remain confidential.
- c) The timing of the leak to the press and its confirmation by Mr. Rizvi on 17th October 2019 on the very date when the hearing closed seems to have been well thought out. Mr. Panchu was also in the premises of the Supreme Court on 16th of October and was communicating in the premises to Mr. Zafar Faruqui.

Accordingly, we must make it absolutely clear that we the appellants before Supreme Court do not accept the proposal made which has been leaked out to the Press, nor the procedure by which the mediation has taken place nor the manner in which a withdrawal of the claim has been suggested as a compromise.

EJAZ MAQBOOL

Advocate-on-Record for the Appellants in
M. Siddiq (D) Thr. Lrs. Vs. Mahant Suresh Das & Ors. etc. etc.
bearing Civil Appeal Nos. 10866-10867 of 2010

&

Advocate-on-Record for the Appellant in
Misbahuddeen Vs. Mahant Suresh Das and Ors.
bearing Civil Appeal No. 2215 of 2011

&

Advocate-on-Record for the Respondent No. 23 in
Sunni Central Board of Wakfs U.P. Vs. Bhagwan Sri Rama
Virajman & Ors. bearing Civil Appeal No. 4192 of 2011

SHAKIL AHMED SYED

Advocate-on Record for the Appellant in
U.P. Sunni Central Waqf Board Vs. Mahant Suresh Das & Ors.
bearing Civil Appeal No. 821 of 2011

M.R. SHAMSHAD

Advocate-on-Record for the Appellant in
Mohammad Hashim (D) Thr. Lrs. Vs. Mahant Suresh Das &
Ors. bearing Civil Appeal No. 2894 of 2011
&

Advocate-on-Record for the Appellant in
Mohammad Hashim (D) Thr. Lrs. Vs. Bhagwan Shri Ram
Virajman & Ors. bearing Civil Appeal No.7226 of 2011

IRSHAD AHMAD

Advocate-on-Record for the Appellant in
Farooq Ahmad (D) Thr. Lrs. Vs Param Hans Ram Chander
Das (D) By Lrs. bearing Civil Appeal No. 5498 of 2011

FUZAIL AHMAD AYYUBI

Advocate-on-Record for the Respondent No.12 in
Nirmohi Akhara Vs. Rajendra Singh & Ors.
bearing Civil Appeal Nos. 4905-4908 of 2011