

IN THE COURT OF SUB-DIVISIONAL MAGISTRATE (HAUZ KHAS)
DISTRICT - SOUTH: REVENUE DEPARTMENT
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
ROOM NO. 06. M.B. ROAD, SAKET, NEW DELHI-110068

No. SDM (HAUZ KHAS)/2016 /2826

Dated: 1/8/16

IN THE MATTER OF:-

Zuber, Israile, Idri all S/o Basheer Ahmed

....First Party

V/s

Molana Mohd Ali S/o Abdul Subhan,
Mumtaz Ali S/o Molana Mohd. Ali Johar &
Molana Md. Ezaz Ali S/o Molana Md. Ali Johar

....Second Party

ORDER

Whereas, the above mentioned case proceeding U/s 145 Cr. PC is pending before this court, which was instituted on receipt of a Kalandra bearing DD No. 93A dated 22/07/2015 from SHO, PS (Malviya Nagar), wherein they reporting a dispute between the above mentioned parties.

Notices were issued to both the parties and heard the arguments. Report from SHO (Malviya Nagar), wherein he stated that property No. 84/1, Sarai Sahji Masjid Begumpur is approximately 2500 Square Yards as per the record a available the land belongs to Delhi Wakf Board. Delhi Wakf Board had appointed Molana Mohd Ali Johar as an Imam of Masjid. The property is divided into five major parts.


1. Masjid Sarai Sahaji
2. Madarsa "Jamia darul -ulum Faridia"
3. Majar Sheikh Farid Bukhari and Graveyard
4. Residential house of Molana Mohd Ali Johar
5. Place occupied by Kabadi

There was a dispute between both the parties over the Majar Sheikh Farid Bukhari and empty space in front of Majar, whereas first party says that they are the member ob Baba sheikh Farid Bhukari Majar and Kadmi Kabristan Sarai Sahaji, Begumpur, Social work Committee and Trust and have right over the Majar Sheikh Farid Bhukari and empty space in front of Majar and second party says they have been appointed Imam by the Delhi Wakf Board, as a caretaker of the whole property and doing this job for the last 20 yrs.

I have gone through the case and on the hearing dated 27/07/2016 Sh. Mohd. Yusuf Khan, ZWO and Sh. Allah Noor (Retd. ZWO) for Delhi Wakf Board appeared, Moulana Mohd Ali & Others (**Second Party**) appeared, Zuber & Others (Firs Party) have not appeared despite previous notice.

Further, Police has filed status report and Delhi Wakf Board has filed a signed copy of Notification declaring the property in question as Wakf property. They have also stated that there is a case going on a Delhi High Court in respect of this property in which Wakf Board & Archeological Survey of India are parties regarding fresh construction. As it is established as Wakf property the Wakf Board is directed to take necessary steps to protect its boundary from encroachments.

SHO (Malviya Nagar) is directed to serve a copy of this order for compliance & assist the Delhi Wakf Board in removing the encroachment by any person, who is not authorized by the Delhi Wakf Board.


(RAVINDER KUMAR)
SDM (HAUZ KHAS)

To,

SHO (Malviya Nagar)
Police Station (Malviya Nagar),
New Delhi