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ITEM NO.14 COURT NO.9 SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).9056/2026

[Arising out of impugned final judgment and order dated 20-01-2026 in MFA No. 207679/2025 passed by the High Court of Karnataka at Kalaburagi]

DARGAH HAZRAT KHALIFAT-UR RAHEMAN REHMAT-ULLA-ALIA (SUNNI MALKHED)
Petitioner(s)

VERSUS

SYEDA AHMEDIA BANU @ AHMEDUNISSA BEGUM & ORS. Respondent(s)

FOR ADMISSION
IA No. 169414/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 19-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :Mr. Sudhanshu Choudhari, Sr. Adv.
Mr. Preetam Shah, Adv.
Mrs. Aanchal Rathore, Adv.
Mr. K. Krishna Kumar- 2112, AOR

For Respondent(s) :Ms. Pritha Srikumar Iyer- 2074, AOR
Mr. Armaan Rai, Adv.

Mr. Shariq Ahmed, Adv.
Mr. Sunil Kumar Verma, Adv.
Mr. Tariq Ahmed, Adv.
Mr. M Shaz Khan, Adv.
M/s Ahmadi Law Offices- 3108, AOR

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

1. The petitioner had instituted proceedings before the Waqf Tribunal claiming himself to be Mutawalli of Dargah Hazrat Khalifat-UR Raheman Rehmat-Ulla-Alia as also its Sajjadanashin. Admittedly, the term of

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Date: 2026.11.19 17:16:17 IST
Reason:

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Mutawalli, as appointed by the Board, has lapsed. As a consequence, the other side raised a plea that petitioner cannot pursue the proceedings.

2. The proceedings are in the name of Waqf and not in the personal capacity of either the Sajjadanashin or the person interested in the Waqf. In such circumstances, the question which arises for our consideration is whether those proceedings can be continued by the Mutawalli whose term has expired.

3. The contention on behalf of the petitioner is that since the petitioner has set up a plea that he is also Sajjadanashin of the Waqf concerned, and Sajjadanashin has no specified term, he has a right to represent the Waqf and, therefore, continue the proceedings.

4. What is relevant to be considered is whether in absence of any Waqfnama or a Waqf deed, and in absence of any custom pleaded in the plaint/application preferred before the Tribunal by the petitioner of him being the Sajjadanashin of the Dargah concerned, having accepted his appointment as a Mutawalli, could he continue to represent the Waqf/Dargah on expiry of his term as the Mutawalli.

5. The learned counsel for the petitioner prays for

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time to study the matter and assist the court on the above aspect.

6. List on 25.11.2026.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)