

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 421/2011

PUNJAB WAKF BOARD

APPELLANT(S)

VERSUS

DOABA COLLEGE & ANR.

RESPONDENT(S)

O R D E R

1. The present appeal has been filed assailing the impugned judgement dated 21.07.2010, passed by the High Court of Punjab and Haryana, wherein, the revision petition challenging the judgement of the Wakf Tribunal dated 30.05.2008 was dismissed. The appellant-Wakf Board had filed a plaint seeking eviction and recovery of possession of suit property admeasuring 7 kanals and 14 marlas on the strength of a Gazette Notification dated 06.02.1971 and corrigendum dated 01.06.1991, issued by the Central Government. The appellant further sought for

recovery of arrears of rent along with interest from the defendant/respondents. It was alleged that the suit property was leased out to the defendants w.e.f 01.05.1967, on a monthly rent basis and the cause of action arose when conditions of the lease were violated.

2. The Wakf Tribunal dismissed the suit, by rejecting the contentions raised by the appellant, with respect to the factum of ownership of the appellant or that the defendants were its tenants. The High Court vide the impugned judgement passed in Civil Revision No. 4232/2009, affirmed the findings of the Wakf Tribunal. Aggrieved, the present appeal has been preferred.
3. We have heard the learned Senior counsel appearing for the appellant and the learned Senior counsel appearing for the respondents.
4. We have also perused the impugned judgment and the records.
5. We are inclined to interfere with the impugned judgment, by remitting the matter back to the High Court for fresh consideration on a short ground, without going into the other issue(s), as we find that the admission made by the respondents/defendants have not been taken into consideration by the High Court.
6. In such view of the matter, the impugned order stands set

aside, leaving all the issues left open, including the fact of so called admission made by the respondents before us.

7. Taking note of the long pendency of the proceedings, we request the High Court to dispose of the pending revision petition, within a period of six months from the date of receipt of a copy of this order.
8. The appeal stands allowed, accordingly.
9. Pending application(s), if any, shall stand disposed of.

.....J .
[M.M. SUNDRESH]

.....J .
[PRASANNA B. VARALE]

NEW DELHI;
16th SEPTEMBER, 2026

ITEM NO.107

COURT NO.2

SECTION IV

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

Civil Appeal No(s). 421/2011

PUNJAB WAKF BOARD

Appellant(s)

VERSUS

DOABA COLLEGE & ANR.

Respondent(s)

Date : 16-09-2026 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Appellant(s) Mr. Salman Khurshid, Sr. Adv.
Mrs. Naghma Imtiaz, Adv.
Mr. Zargham Ahmed, Adv.
Mr. Saif Naseem, Adv.
Ms. Azra Rehman, Adv.
Ms. Sonika Choudhary, Adv.
Ms. Mariya Mansuri, Adv.
Ms. Sidra Khan, Adv.
Mrs. Anshu Kapoor, Adv.
For M/S. Equity Lex Associates, AOR

For Respondent(s) : Ms. Uttara Babbar, Sr. Adv.
For M/S. Law Associates, AOR

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

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(SWETA BALODI)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
ASSISTANT REGISTRAR

(Signed order is placed on the file)