



RAJASTHAN HIGH COURT

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

सत्यमेव जयते

D.B. Civil Writ Petition No. 17817/2026
CNR: RJHC010770052026 | URN: CW / 30941U / 2026

Suo Moto

-----Petitioner

Versus

Union Of India

-----Respondent



For Petitioner(s) : Mr. Moti Singh
Mr. Abhishek Mehta
Mr. Dilip Choudhary
Mr. Girish Sarda

For Respondent(s) : Mr. Rajesh Panwar, AAG with Mr.
Ayush Gehlot and Mr. Rakesh Sharma
Mr. B.L. Bhati, AAG with Mr. Deepak
Chandak, Mr. Sandeep Soni and Mr.
Sukhdev Sharma
Mr. S.S. Paliwal, Dy. S.G.
Mr. N.S. Rajpurohit, AAG
Mr. Mukul Singhvi

Present in Person : Mr. Abu Sufiyan Chauhan, Addl.
Director of Minority Affairs & CEO of
Waqf Board

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE PRAVEER BHATNAGAR**

Order

11/08/2026

1. The learned Amicus Curiae, Mr. Moti Singh and Mr. Abhishek Mehta, while assisting the Court, submitted that the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995, as amended by the Waqf (Amendment) Act, 2025 (hereinafter referred to as "the Act of 1995, as amended in 2025"), provides an elaborate framework aimed at bringing about structural reforms, curbing mismanagement, ensuring digital transparency and restricting arbitrary claims. Learned counsel



further submitted that the spirit and object of the Act of 1995, as amended in 2025, have not been adhered to by the respondents, inasmuch as arbitrary and non-transparent inclusions on the UMEED Portal have caused distress and anxiety amongst the last segment of the population. Learned counsel has also drawn the attention of this Court to the various provisions of the Act of 1995, as amended in 2025.

2. Mr. Panwar, learned AAG appearing for the Municipal Corporation, however, submitted that a detailed survey of all the relevant Khasra numbers was conducted by the District Administration and that considerable discrepancies and conflicts have been noticed in the claims relating to Waqf properties, particularly with regard to their physical existence, which position is borne out from the record. He submits that a detailed reply/affidavit in this regard is being filed.

3. Mr. B.L. Bhati, learned AAG, submitted that the Waqf authorities are committed to acting strictly in accordance with the provisions of the Act of 1995, as amended in 2025. He further submitted that the process is still underway and that it shall be ensured, in a transparent manner and in accordance with law, that the claims of the respective parties are duly examined and determined before any property is treated or recorded as Waqf property.

4. Mr. S.S. Paliwal, learned Dy. S.G. appearing for the Union of India, submits that the mechanism prescribed under the Act of 1995, as amended in 2025, is required to be followed before the relevant particulars are uploaded on the portal and, since such



conflicts seem to be creating confusion amongst the common citizens, it was for the authorities to have properly checked the issue.

5. At this juncture, Mr. Abu Sufiyan Chauhan, learned Additional Director, Minority Affairs and CEO of the Waqf Board, submitted that the Waqf Board is equally committed to strictly adhering to the provisions of the Act of 1995, as amended in 2025. He further submitted that the prescribed process of "Maker, Checker and Approver" is being strictly followed. According to him, the Register of 1962 and the survey conducted pursuant thereto constitute the baseline for initiation of the process and the authorities are merely carrying forward the mandate of law within the parameters prescribed by law.

5.1. He further explained that at the first stage, the "Maker", who is ordinarily a Mutawalli or any person duly authorised by the Board, initiates the process on the basis of the available record. The particulars so submitted are thereafter scrutinized by the "Checker" with reference to the title, physical possession and other relevant aspects of the property. Upon completion of such scrutiny and verification of the basic particulars, the relevant information is uploaded. Thereafter, the matter enters the third stage of "Approver", wherein the action undertaken by the Maker and the Checker is further scrutinized and refined. After examining the title, the relevant records and the delegation or dedication of the property to the Waqf, the competent authority accords approval, whereafter the particulars are uploaded on the UMEED Portal.



5.2. He further submitted that, in all, 19,044 properties came within the ambit of consideration; however, upon undergoing the aforesaid process of Maker, Checker and Approver, only 17,500 properties have ultimately been uploaded on the portal in accordance with the provisions of the Act. He submitted that an affidavit containing the aforesaid particulars is ready and shall be filed during the course of the day.

5.3. The officer, who was called upon by the Court to assist in the matter, made the aforesaid submissions and also expressed his concern regarding reports appearing in the public domain concerning Geeta Bhawan, schools, colleges, certain temples and Government as well as private lands, particularly those relating to Khasra No. 490 having been reflected on the UMEED Portal in the name of the Waqf Board. He categorically submitted that, insofar as the aforesaid properties are concerned, neither do they constitute Waqf properties nor have they been uploaded on the portal by the Waqf Board, and there is no proposal or intention on the part of the Waqf Board to treat or consider such properties as Waqf properties.

5.4. He further submitted that his concern is that such reports or publications, if not based on verified facts, not only cause unnecessary distress and anxiety amongst the public at large but may also cause avoidable damage to the social fabric.

6. Upon consideration of the submissions made by the learned counsel appearing for the parties and the officers assisting the Court, the learned Amicus Curiae, Mr. Moti Singh and Mr. Abhishek Mehta, are directed to examine the affidavits to be filed by the



Municipal Corporation and the Waqf Board and submit a report thereon before the next date of hearing. Mr. Rajesh Panwar, learned AAG, is also directed to crystallize the issue as to the manner in which the State properties falling within the list uploaded on the UMEED Portal for being treated as Waqf properties are proposed to be dealt with. He shall also address the Court as to whether and to what extent the State authorities approve the action of uploading such properties after the process of "Maker, Checker and Approver" has been undertaken in accordance with the provisions of the Act of 1995, as amended in 2025.

7. Mr. B.L. Bhati, learned AAG, and Mr. Abu Sufiyan Chauhan, learned Additional Director, Minority Affairs and CEO of the Waqf Board, are also directed to place on record a report indicating the manner in which the issue relating to properties, which may not have the approval of the State Government and may be owned by the State, is proposed to be resolved. They shall also address the Court with regard to the properties in respect of which the State Government or any private person has raised, or may raise, an objection to their being treated as Waqf properties.

8. The concern expressed by the officer assisting the Court appears to be genuine. This Court also directs Mr. Mukul Singhvi, learned counsel, to accept notice on behalf of the newspaper Dainik Bhaskar, which shall, for the present purpose, be treated as a party to the proceedings, and to obtain instructions and place before the Court an explanation as to the circumstances in which properties such as Geeta Bhawan, schools, colleges, certain



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temples and certain Government lands were reported as having been reflected on the UMEED Portal. Such publication, if not based upon verified facts, is likely to create unnecessary disturbance and adversely affect the social fabric. Mr. Singhvi shall accordingly inform the concerned authorities of the newspaper and place their explanation before the Court with regard to the news report in question, which formed the basis for initiation of the present Public Interest Litigation.

9. It is further directed that the list of Waqf properties uploaded on the UMEED Portal shall be furnished to the Local Self Government Department as well as the Revenue Department. The Revenue Department and the Local Self Government Department shall also examine the said list and place their respective stands on record before the next date of hearing.

10. List the matter on 02.09.2026.

(PRAVEER BHATNAGAR),J (DR.PUSHPENDRA SINGH BHATI),J

20/Anshul