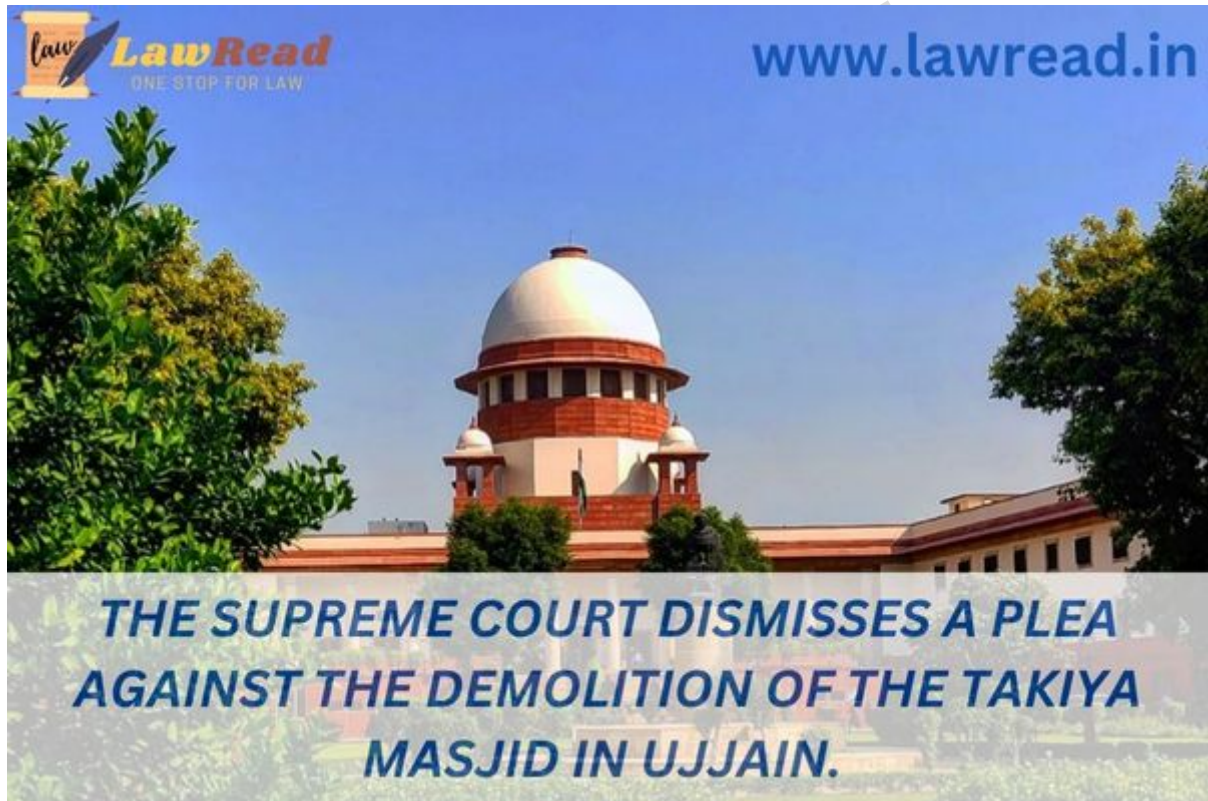


News

The Supreme Court dismisses a plea against the demolition of the Takiya Masjid in Ujjain.



The Court observed that compensation was provided for the demolition and acquisition, which were carried out in accordance with the law.

A plea against the Madhya Pradesh High Court's recent ruling to support the demolition of the Takiya Masjid in Ujjain was rejected by the Supreme Court on Friday.

Thirteen locals who used to perform namaz at the mosque filed a suit claiming the Madhya Pradesh government destroyed the 200-year-old mosque in order to increase the parking space for the nearby Mahakal Temple.

But a bench of Justices Vikram Nath and Sandeep Mehta pointed out that the acquisition and demolition were carried out in accordance with the law, and compensation was also given for the same.

The Court stated, "It is required under statutory scheme... compensation paid."

It further mentioned that the petitioners had previously withdrawn a plea they had filed with the High Court.

"You filed a writ petition challenging the same... requisition, which was dismissed as withdrawn," the judge stated.

Speaking on behalf of the petitioners, Senior Advocate MR Shamshad said that the High Court's logic was flawed.

"But the manner in which it was carried out. This needs to be taken into account. The contested order's justification is that he can offer prayers anywhere, including at home. This is the logic, Shamshad argued.

"The High Court has made a very good reasoning that the petition was dismissed and withdrawn, compensation was paid," the court stated.

Shamshad said that "compensation was given to unauthorized persons."

"You have remedy under the Act for that," the Court emphasized.

"This is an egregious situation. You destroy the mosque and claim you have no right because you need parking for another place of worship." Shamshad continued.

Nevertheless, the appeal was dismissed by the Bench.

According to the petitioner, the mosque was properly designated as a waqf in 1985 and had been operational for the previous 200 years until it was ***"illegally and arbitrarily demolished"*** in January of this year.

The Waqf Act of 1995 (now the Unified Waqf Management, Empowerment, Efficiency and Development Act of 1995), the Places of Worship (Special Provisions) Act of 1991, and the

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act of 2013 were all violated by the demolition.

The appeal continues by asserting that there were anomalies in the State's land acquisition procedure before the demolition.

Additionally, the petitioners have claimed that the State paid compensation to encroachers and unauthorized occupiers in the region ***"just to make out a false case of acquisition."***

The petitioners had already appealed the restoration of the mosque to the Madhya Pradesh High Court.

Nevertheless, a single judge and then a Division Bench of the High Court rejected the plea.

They subsequently challenged the High Court's ruling in the current plea they filed with the Supreme Court. They asked the Supreme Court to halt the High Court's decisions, prevent the State from making any changes or building on the property, and order an impartial investigation into the demolition as temporary relief.

Advocate Vaibhav Choudhary filed the plea, and Choudhary and attorney Syed Ashhar Ali Warsi drafted it.

Senior Advocate Mr. Shamshad resolved the petition.