



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION (L) NO. 21015 OF 2025

JAYANT
VISHWANATH
SALUNKE

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Hazrat Khwaja Garib Nawaz	}	
Welfare Association Maharashtra,	}	
through its General Secretary,	}	
Mr. Mohammed Yusuf Umar	}	
Ansari	}	Petitioner
versus		
The State of Maharashtra & Ors.	}	Respondents

Mr. Shaikh Imran Mubarak with Dr. Sana Siddiquee & Mr. Jaazib Waheed Aziz for petitioner.

Ms. P. H. Kantharia, Government Pleader with Mr. Aseem Naphade, 'B' Panel Counsel and Ms. Vaishali Choudhari, Additional Government Pleader for respondents 1 & 2 (State).

Mr. Sachindra B. Shetye with Mr. Akshay Pansare for respondent no. 5.

Mr. Yusuf Muchhala, Senior Advocate with Mr. Nawaz Hainday and Mr. Altaf Khan i/b. Mr. Karim A. Pathan for petitioner in Criminal Writ Petition No. 3401 of 2025 (Not on Board).

Mr. Aburao Sonawane, ACP, Deonar Division present.

Mr. Pramod Pawar, PI, Shivaji Nagar Police Station present.

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE: AUGUST 7, 2025

P.C.:

1. In this Public Interest Litigation (PIL), the petitioner seeks a direction to respondent nos. 1, 2 and 5 to permit use of loudspeaker for Azan purpose for 24 masjids with appropriate decibels levels as per law.

2. When the matter is called out today, learned Government Pleader, on instructions, has raised the following preliminary objections to the locus as well as on the issue of maintainability of the PIL:

i) Mr. Mohammed Yusuf Umar Ansari is the General Secretary of Hazrat Khwaja Garib Nawaz Welfare Association Maharashtra. It is pointed out that against the aforesaid Mohammed Yusuf Umar Ansari, an order of externment has been passed on 16th May 2025 and violating the aforesaid order of externment, the said Mohammed Yusuf Umar Ansari has entered the city limits of Mumbai and sworn in the affidavit in support of the PIL on 4th July 2025;

ii) It is also submitted that four offences under the Indian Penal Code, 1860 have been registered against the aforesaid Mohammed Yusuf Umar Ansari, who is the General Secretary of the petitioner association.

iii) It is also asserted that Mr. Mohammed Yusuf Umar Ansari has circulated an audio clip inviting 22900 people to attend today's hearing, which has resulted in law and order situation for police authorities.

iv) It is further submitted that to maintain the law and order situation, the police authorities are required to depute police personnels around the High Court building for security purpose.

The Learned Government Pleader, therefore, submits that taking into account the conduct and antecedents of the

Mr. Mohammed Yusuf Umar Ansari, who is the General Secretary of the petitioner, the PIL ought not to be entertained.

3. Learned counsel for the petitioner has denied the aforesaid submissions.

4. In order to enable us to decide with regard to the locus and maintainability of the PIL at the instance of the General Secretary of the petitioner, we deem it appropriate to direct the learned Government Pleader to submit objections to the maintainability of the PIL by way of objections after supplying a copy of the same to the learned counsel for the petitioner. Let the objections be filed within two weeks from today. Needless to state that the petitioner shall be at liberty to file response thereto within a further period of two weeks from receipt of such objections.

5. At this stage, learned senior counsel Mr. Yusuf Muchhala submits that another writ petition being Criminal Writ Petition No. 3401 of 2025 is pending in which a similar issue is involved.

6. In view of the aforesaid submission, let Criminal Writ Petition No. 3401 of 2025 be listed along with this PIL for analogues hearing.

7. List after four weeks.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)