



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 20TH DAY OF NOVEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

CIVIL CONTEMPT PETITION NO.100214 OF 2025

BETWEEN:

SHAIK ABDUL REHMAN S/O FAKRUDDIN MULLA
AGE. 68 YEARS, OCC. PRESIDENT OF
MUSLIM JAMAAT NAVANAGAR HUBBALLI,
R/O EWS 228, 8TH CROSS, NAVANAGAR,
HUBBALLI, DHARWAD DISTRICT.

...COMPLAINANT

(BY SRI. SHIVAKUMAR S. BADAOWADGI, ADVOCATE)

AND:

1. JEELANI H. MOKASHI,
THE CHIEF EXECUTIVE OFFICER,
THE KARNATAKA STATE BOARD OF AUQUF,
NO.6 CUNNINGHAM ROAD, BANGALURU.

2. TAJUDDIN SHEK, WAKF OFFICER,
DISTRICT WAKF OFFICE DHARWAD,
SADHANAKERI DHARWAD.

3. MOHAMMAD ZAFARULLAKHAN LOHANI
AGE. 62 YEARS, THE ADMINISTRATOR APPOINTED
BY 2ND ACCUSED, R/O #682,
PANCHAKSHARI NAGAR, HUBBALLI, DIST. DHARWAD.

...ACCUSED

4. THE STATE OF KARNATAKA,
REPRESENTED BY AGA,
HIGH COURT OF KARNATAKA, DHARWAD.

...PROFORMA RESPONDENT

(BY SRI. D.L. LADKHAN, ADVOCATE FOR A2;
SRI. SHARAD V. MAGADUM, AGA FOR PROFORMA RESPONDENT;
NOTICE TO A1 & A3 ARE SERVED)



THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971, R/W. ARTICLE 215 OF CONSTITUTION OF INDIA,1950, PRAYING TO INITIATE THE CONTEMPT PROCEEDINGS AGAINST THE ACCUSED AS THE ACCUSED HAS NOT AT ALL RESPECTED THE HON'BLE COURT ORDER AND DATED 14/09/2015 IN WP NO.101845/2025 (GM-WAKF) AS PER ANNEXURE-A DATED 18.03.2025 AND PUNISH THE ACCUSED FOR DISOBEYING THE ORDER OF THIS HON'BLE COURT IN THE INTEREST OF JUSTICE AND EQUITY.

THIS CCC COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE S G PANDIT)

This contempt petition is filed under Sections 11 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, complaining disobedience of interim order dated 18.3.2025 in WP No.101845/2025, which reads as under:

"Counsel for the petitioner submits that the petitioner is working as President. However, the Karnataka State Board of Auqaf without notifying the petitioner has appointed the fourth respondent as President on 21.02.2025. Counsel further on instructions submits that the fourth respondent has not taken the charge as of today. Counsel therefore, submits that an interim relief may be granted.

The oral submission made by the learned counsel for the petitioner is placed on record. There shall be an interim order of stay as prayed for."



2. Heard the learned counsel Shivakumar S Badawadagi for the complainant; learned counsel Sri. D.L. Ladkhan for accused No.2 and learned AGA Sri. Sharad V Magadam for proforma respondent No.4. Perused the entire contempt petition papers.

3. This Court by interim order dated 18.3.2025 stayed the appointment of Administrator under order dated 21.02.2025. It is the specific contention of learned counsel for the complainant that after the interim order, accused No.3 assumed the charge and subsequently, he has not handed over the charge to the petitioner. Though writ petition is disposed of as having become infructuous by order dated 7.7.2025, learned counsel for the complainant submits that since the interim order is not complied, the contempt petition would be maintainable.

4. Learned AGA brings to the notice of this Court that by order dated 7.7.2025, WP No.101845/2025 was dismissed as having become infructuous by recording the submission of learned counsel for the petitioner as well as respondents in the writ petition.



5. Learned counsel for accused No.2 would submit that the Administrator assumed charge on 1.3.2025 itself, much before passing the interim order dated 18.3.2025. Therefore, he submits that there is no disobedience of interim order dated 18.3.2025. Moreover, he submits that the main writ petition is disposed of as having become infructuous and when the complainant is not entitled for final relief, the complainant cannot complain disobedience of interim order. Thus, prayed for dismissal of contempt petition.

6. Having heard the learned counsel for the parties and on perusal of the entire contempt petition papers, we are of the considered view that the contempt proceedings need to be dropped, as there is no disobedience of interim order dated 18.3.2025 passed in WP No.101845/2025.

7. The interim order would be passed or granted in aid of final relief prayed in the writ petition or any proceedings. In the instant case, writ petition challenging the appointment of Administrator dated 21.02.2025 stands dismissed by recording the submission of learned counsel for the petitioner as well as respondents that the petition had



become infructuous. When the complainant was not entitled for final relief in the writ petition, the interim order passed in the writ petition would not come to the aid of the complainant. Moreover, as submitted by the learned counsel for accused No.2, even before passing the interim order dated 18.3.2025, staying the appointment of Administrator by order dated 21.02.2025, respondent No.3-Administrator has taken charge on 1.3.2025 itself. In the above circumstances, we do not propose to continue the contempt proceedings. Accordingly, the contempt proceedings are ***dropped***.

Pending applications, if any, are disposed of as not surviving for consideration.

**Sd/-
(S G PANDIT)
JUDGE**

**Sd/-
(GEETHA K.B.)
JUDGE**

JTR
CT:VP
LIST NO.: 1 SL NO.: 4



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

[SHAIK ABDUL REHMAN S/O FAKRUDDIN MULLA VS. JEELANI H
MOKASHI AND OTHERS]

17.12.2025

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR JUSTICE S G PANDIT
and
HON'BLE MRS JUSTICE GEETHA K.B.

ORAL ORDER

(PER: HON'BLE MR JUSTICE S G PANDIT)

Order on I.A.No.2/2025

I.A.No.1/2025 is filed for 'being spoken to' to show the name of Sri B.Mohammed Ali, as the counsel appearing for accused No.1.

2. Learned counsel Sri B.Mohammed Ali, had filed vakalat on 19.11.2025 and in fact when the above contempt petition was listed on 20.11.2025, he was present before the Court. However, his name was not shown in the cause list and the Court Officer inadvertently failed to note the name of the learned counsel for accused No.1. In the above circumstances, I.A.No.2/2025 is allowed.



3. The names of learned counsels appearing for accused Nos.1 to 3 and proforma respondent, shown at page No.1 in the cause title of the order dated 20.11.2025, shall be read as under:

***(By Sri B.Mohammed Ali, Advocate for A1;
Sri D.L.Ladkhan, Advocate for A2;
Sri Sharad V. Magadum, AGA for proforma
respondent;
A3 – notice served.)***

4. This order shall be read in conjunction with the order dated 20.11.2025.

5. Registry is directed to issue fresh certified copy of the order to the parties.

**Sd/-
(S G PANDIT)
JUDGE**

**Sd/-
(GEETHA K.B.)
JUDGE**