



CNR: KAHC010452082025

NC: 2026:KHC:47398-DB
CCC No. 869 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

CIVIL CONTEMPT PETITION NO. 869 OF 2025

BETWEEN:

MR. NISAR AHMED
S/O LATE MOHAMMED IBRAHIM,
AGED ABOUT 76 YEARS,
R/AT NO.103, EMERALD ICON,
HRBR LAYOUT,
BANGALORE - 560 043.

...COMPLAINANT

(BY SRI.NAVEED AHMED ADVOCATE FOR
SRI.MOHAMMED OWAIS SULTAN, ADVOCATE)

AND:

1. MR. SARFARAZ KHAN,
THE CHAIRMAN,
KARNATAKA STATE BOARD OF WAKFS
NO.6, CUNNINGHAM ROAD,
BANGALURU - 560 001.
2. SRI. MOHAMED JEELANI MOKASHI
CHIEF EXECUTIVE OFFICER,
KARNATAKA STATE BOARD OF WAKFS
NO.6, CUNNINGHAM ROAD,
BANGALURU - 560 001.

...ACCUSED

(BY SMT. S.R.ANURADHA, SENIOR COUNSEL FOR
SRI. SABAHATH SULTANA, ADVOCATE)

Digitally
signed by K S
RENUKAMBA
Location:
High Court of
Karnataka



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THIS CIVIL CONTEMPT PETITION IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT R/W ARTICLE 215 OF THE CONSTITUTION OF INDIA, BY THE COMPLAINANT, WHEREIN PRAYS THAT THIS HON'BLE COURT BE PLEASED TO TAKE COGNIZANCE OF THE CONTEMPT COMMITTED BY THE ACCUSED IN NOT COMPLYING SPECIFIC DIRECTION OF THIS HON'BLE COURT IN W.A.NO.213/2015 (S-DIS) DATED 29.10.2024 AT ANNEXURE-A AND W.P. NO.33950/2009(S-DIS) DATED 29.03.2011 AT ANENXURE-B.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard the learned counsel for the complainant.

2. This contempt case is filed against the accused alleging contempt of the orders dated 29.10.2024 and 29.03.2011 passed, respectively in Writ Appeal No.213/2015 and Writ Petition No.33950/2009. By the order dated 29.03.2011 passed by the writ Court, after quashing Annexures - 'D' and 'F' in the writ petition, the learned Single Judge of this Court directed the respondents therein to fix the pay scales of the petitioner in the revised pay scales of 1998



and 2005 with increments, dearness allowance and other benefits, which the petitioner was legally entitled.

3. The accused challenged the order of the learned Single Judge in Writ Appeal No.213/2015 wherein by an order of 29.10.2024, the writ appeal was dismissed, clarifying that all benefits due to the petitioner on account of quashing of disciplinary proceedings as being incompetent shall be computed and disbursed to the petitioner without delay. A compliance affidavit was filed on 24.08.2026 wherein it was stated that the order of the writ Court has been complied with. In the compliance affidavit, it was also mentioned that as per the recommendations made by the Lokayukta, the office order dated 06.09.2011 was issued, sanctioning pensionary benefits with effect from 01.01.2007 by refixing the pay from FDA to SDA scale in accordance with the recommendation of the Lokayukta.

4. It is stated in the compliance affidavit that the complainant had only been placed in temporary charge of the post of Wakf Officer under Rule 32 by Office order dated



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05.07.1995, but he was never regularly promoted to that post. An endorsement dated 06.09.2018 was issued clarifying the same.

5. Learned counsel for the accused has also pointed out that earlier, alleging non-compliance of the order of the writ Court dated 29.03.2011, a contempt case bearing CCC No.1548/2011 was filed in which the following order was passed:

"ORDER

The accused is present.

2. Memo is filed along with a statement showing the fixation of pay in terms of the order passed by this Court. Now that the pay has been fixed, respondent shall make the payment within a month from today.

2. Contempt petition is closed."

6. It would be stated that no liberty was reserved to the complainant to revive the contempt petition or to file another one. It has been pointed out that the complainant then filed a Review Petition bearing No.562/2011 in CCC No.1548/2011, which was rejected, reserving liberty to the petitioner to work out his remedies in a manner known to law. While rejecting the review petition, the Court noted the memo



CNR: KAHC010452082025

filed in the earlier contempt proceedings as Annexure-D, perusal of which reflected that pay as on 26.04.2005 as per 1998 pay scale had been taken into consideration, then there was a revision of pay scale in 2007. That had also been taken into consideration and calculating the same on that basis whatever the amounts the petitioner had been legally entitled to had been paid. The Court had noted that if the fixation of pay is not correct, or the complainant was entitled to some thing (*sic*) more than what had been paid, that would be a matter requiring adjudication in an appropriate forum and not by filing the review petition.

7. It is not the contention of the learned counsel for the complainant that the pay scales of 1998 and 2007 were not granted to the complainant. Moreover, he has also admitted that filing of the review petition and the order therein has not been enclosed along with the contempt petition. However, he pleads that the complainant having attained an advanced age of 77 years, no action against the complainant be taken.



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8. We are satisfied that the order of the learned Single Judge in the writ petition has been complied with. No further right to maintain the contempt petition enures in favour of the complainant. The contempt case is consigned.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

KG
List No.: 1 Sl No.: 7