

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.35127 of 2014

ORDER:

Heard the learned Counsel for the petitioner and the learned Standing Counsel for the second respondent.

This Writ Petition was filed challenging the action of respondent Nos.2 and 3 in dragging on the enquiry beyond the stipulated time as per Rule 24-A of the Andhra Pradesh Wakf Rules against the petitioner in respect of Dargah Hzt Shah Khamoash (Rh) and Ahata Hzt Ameer Ali Shah (Rh), as illegal and void.

During the pendency of the Writ Petition, the enquiry against the petitioner was completed and the Enquiry Officer has submitted his report on 23.01.2015 holding that charges 1 to 10 levelled against the petitioner herein are not proved and also observed that they are found to be baseless. He requested for reinstatement of the petitioner as Mutawalli of the subject institution by revoking his suspension. Even though the enquiry report is dated 23.01.2015, the learned Counsel for the petitioner submits that no action of reinstatement was taken by the second respondent. He also points out that under subsection (5) of Section 64 of the Wakf Act, 1995, the order of suspension shall be till the conclusion of the enquiry.

In view of the submission of enquiry report by the third respondent holding that the charges levelled against the petitioner are baseless, the further adjudication in the Writ Petition is not necessary. However, the second respondent is directed to take further steps based on the enquiry report, within a period of one week from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. The miscellaneous petitions

pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

09.06.2015

Note: Issue C.C in two days.

B/o.

vs

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