

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.3505 OF 2015

ORDER:

Questioning the charge memo issued by the 3rd respondent-Enquiry Officer vide F.No.1/Z1/T/HYD/2009, dated 21.03.2014, this present Writ Petition filed.

Learned counsel for the petitioner Sri Abdul Muqeeth Qureshi submits that the charge memo issued on 23.01.2015 is in contravention of proceedings bearing F.No.1/Z1/T/HYD/2009, dated 21.03.2014 issued by the 2nd respondent-Chief Executive Officer, A.P. State Wakf Board, and also in contravention of the Order dated 25.06.2014 passed by this Court in W.P.No.16962 of 2014.

Heard Sri Abdul Muqeeth Qureshi, learned counsel for the petitioner, Sri M.A.Mukheed for respondent Nos.2 and 3, and the learned Assistant Government Pleader for Social Welfare Department (Telangana) for the respondent No.1.

Responding to the specific argument of the petitioner counsel that the charge memo issued is beyond the authorisation issued by the Chief Executive Officer of Wakf Board, the learned counsel for the Wakf Board submits that the Charge Nos.7 and 8 would fall within the broad parameters of the financial misappropriation and misutilisation of the funds. In that view of the matter, it cannot be said that the Charge Memo issued beyond the authority given by the Chief Executive Officer.

Having considered the rival submissions, without expressing

any opinion at this stage about the broader interpretation sought to be placed by the learned counsel for the petitioner, liberty is given to the petitioner to file his objections with respect to the charges levelled against him, which shall be considered by the Enquiry Officer in accordance with law. It is needless to mention that in terms of the Order dated 25.06.2014 passed in W.P.No.16962 of 2014, petitioner may choose not to answer the charges, which he considers to be beyond the scope of the enquiry. However, if the petitioner desires to submit explanation even with respect to the charge Nos.7 and 8, the same shall be dealt with the process of enquiry.

Writ Petition is disposed of accordingly. However, considering the fact that while the Writ Petition is pending, the time granted by the Enquiry Officer expired for offering the explanation, the same is extended by another four weeks from the date of this order. There shall be no order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Dated:23.02.2015.

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