

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

C.R.P.No.5295 OF 2015

ORDER:-

This Civil Revision Petition is filed under Article 227 of the Constitution of India challenging the order, dated 24.11.2015, in I.A.No.357 of 2015 in O.A.No.64 of 2013 on the file of the Andhra Pradesh State Wakf Tribunal at Hyderabad (for short, "the Tribunal").

2. For the sake of convenience, the parties are hereinafter referred to as they are arrayed before the Tribunal.

3. The applicants have filed the aforementioned O.A. before the Tribunal for declaring the proceedings bearing No.F.No.42/Hyd/C/2013-Z1, dated 27.11.2013, issued by respondent No.1 as null and void; to declare the resolution, dated 04.11.2013, said to have been passed by respondent Nos.2 to 8 purporting to nominate respondent No.3 as Secretary of the Managing Committee of applicant No.1 as null and void; for permanent injunction restraining respondent Nos.3 to 8 from interfering with the management of applicant No.1 and for costs. Pending O.A., respondent Nos.2, 3 and 6 have filed the aforementioned Interlocutory Application under Order VII Rule 11 read with 151 C.P.C. praying the Tribunal to dismiss the O.A. as infructuous as per condition No.5 of the Constitution of Mumtaz Yaruddowla Wakf and the same was dismissed with costs. Challenging the same, the present Revision Petition is filed.

4. Heard.

5. The resolution, dated 04.11.2013, passed for nominating respondent No.3 as Secretary of the Managing Committee of applicant No.1 for a period of two years, which was approved by the A.P.State Wakf Board, is the subject matter under challenge. But, it is to be noted that apart from seeking to declare the proceedings, dated

27.11.2013, and resolution, dated 04.11.2013, as null and void, there is an independent relief sought for in the O.A. with regard to permanent injunction restraining respondent Nos.3 to 8 from interfering with the management of applicant No.1. Whether applicant No.2 has violated the provisions of the Constitution of Wakf or not, is the matter to be gone into during trial.

6. Learned counsel for the petitioners seeks a direction to the Tribunal for disposal of O.A.No.64 of 2013 expeditiously. As the time period of applicant No.2 to be the Secretary of the Wakf Board is already expired, the Tribunal to take up the matter for trial and dispose of the same as expeditiously as possible.

7. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

8. Miscellaneous Petitions pending, if any, in this Civil Revision Petition shall stand closed.

JUSTICE R.SUBHASH REDDY

Date: 18.12.2015

AMD

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Dated: 18.12.2015

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