

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 439 of 2016

Anjuman Committee Marwahi Tahsil- Marwahi, District- Bilaspur, (Chhattisgarh), (Registered Wakf Under The Waqf Act 1954), Acting Through Its President Abdul Nawab Ansari S/o Late Abdul Gaffar Ansari, Aged About- 40 Years, R/o- Village- Marwahi, Tahsil- Marwahi, District- Bilaspur, (Chhattisgarh).

---- Petitioner

Versus

Ku. Namarata Gandhi Sub- Divisional Magistrate Cum-Assistant Survey Commissioner (Waqf) Pendra Road (Marwahi), District- Bilaspur, (Chhattisgarh).

---- Respondent

For Petitioner : Mr. Devesh G. Kela, Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/10/2016

Heard on admission.

1. Learned counsel for the petitioner alleges willful disobedience of the interim order passed by this Court on the ground that some of the intermediary at whose instance, writ petition was filed, have now started interfering with the management of Waqf with the help of office bearer of Panchayat Institution and when complaints were made to the Sub-Divisional Officer, no steps have been taken.
2. On petitioner's own showing, the Waqf Board has cancelled the order which was challenged in the writ petition. The scope of the contempt petition cannot be larger than the writ petition, itself. It is not a case where the Waqf Board has constituted any other committee to overreach the order of the Court.
3. Irrespective of whether, the third party or group of person is entitled to manage the affairs of the waqf in supersession or preference of the petitioner, this contempt petition does not make out a case of willful disobedience of the

order of the Court by parties to the writ petition. The contempt petition is dismissed. This order shall not come in the way of the petitioner in taking recourse to remedy as provided under the law against any other party.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Rekha