

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.40560 OF 2014

ORDER:

Heard Mr.S Niranjan Reddy for petitioners, Mr.S.R.Mahajir for respondents 1 to 3 and Mr.S.Ashok Anand Kumar for respondent No.4

The petitioners challenge proceedings No.F.No.1/Hyd/C/2014-Z1 dated 27.12.2014, as illegal, arbitrary and unconstitutional.

Through the proceeding impugned in the writ petition, the 2nd respondent passed final order under Section 67 of the Wakf Act, 1995. On 30.12.2014, after hearing the learned counsel appearing for parties, this Court made the following order:

“On behalf of the Waqf Board, Sri SR.Mahajir, learned standing counsel accepts Notice and seeks time till the reopening day. There is also a suggestion to the learned counsel appearing for the Waqf Board that the impugned order may be treated as provisional in context, inasmuch as a copy of the original Waqfnama together with its English translation has since been made available to Sri S.Niranjan Reddy, learned counsel for the petitioners today and petitioner No.1 would be provided three weeks' time to respond thereto.

Post on 19.01.2015 in motion list.

The impugned order may not be given effect to or acted upon till the matter is taken up by this Court.”

Counsel for petitioners submits that on 13.02.2015, the petitioners, in fact, filed objections/explanation against the proposed action of superseding the management of subject institution before the Wakf Board. He further submits that as on

date, the explanation is not considered or final orders passed by Wakf Board. Having regard to above that the proceeding impugned in the writ petition has been directed to be treated as provisional and explanation is already submitted by the petitioners to Wakf Board, this Court is of the view that all the issues are at large before respondents 1 to 3 and the prayer at this juncture need be considered or an order passed on merits.

The writ petition is closed, respondents are given liberty to consider the explanation and pass orders as required by law as expeditiously as possible.

Miscellaneous petitions, if any, pending, shall stand closed.

Date: 01-12-2016
Sp



S. V. BHATT, J