

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.29882 OF 2016

ORDER:

Heard Sri M.N.Narasimha Reddy, for the petitioner, Sri M.A.Mujeeb for 2nd respondent and Sri A.M.Qureshi, for respondents 3 to 14.

2. The petitioner challenges proceedings E.No.16/HYD/C/2016/Z-I, dated 04.07.2016, constituting Managing Committee under Section 18 of the Wakf Act, 1995 for a period of two years. On 07.09.2016, this Court in W.P.M.P.No.36980 of 2016 passed the following order:

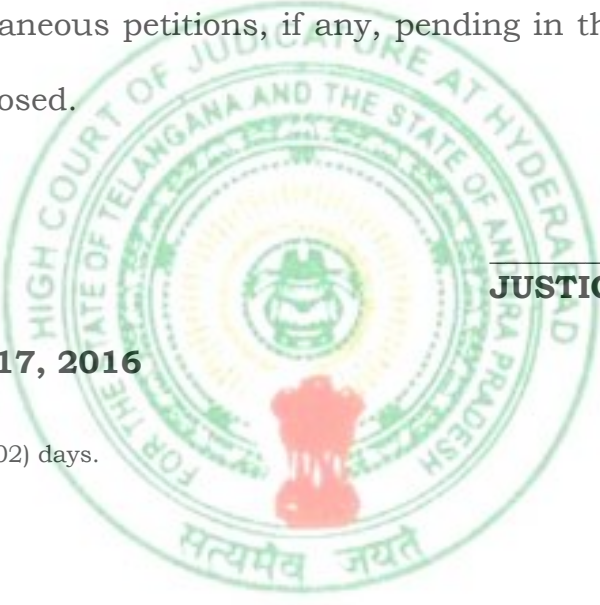
“Heard the counsel for the petitioner, Sri M.A.Mujeeb, counsel for the 2nd respondent; and Sri Mukheed Qureshi for respondents Nos.3 to 5.

Having regard to the fact that persons in the earlier managing committee of the Durgah in question which has been superseded by the 2nd respondent on 03.06.2016 have again been included in the new managing committee constituted under the impugned proceeding, that too, on the basis of a letter addressed on 09.06.2016 by the local Member of Legislative Assembly, *prima facie*, the constitution of the new managing committee under the impugned proceeding does not appear to be *bona fide* and in the interest of the institution in question. Therefore, there shall be interim suspension as prayed for.”

3. The respondents filed petition to vacate the order, dated 07.09.2016. Sri M.A.Mujeeb, appearing for the 2nd respondent firstly tries to sustain the proceedings impugned in the writ petition and secondly having faced with hard reality of sustaining inclusion of persons shown at Sl.Nos.2, 3, 4 and 8, submits that the constitution of Managing Committee should have been more

transparent and objective and therefore, keeping in view the Urs scheduled to be held in the near future, requests the Court to set aside the proceedings impugned in the writ petition and give liberty to 2nd respondent-Wakf Board to constitute a Managing Committee, strictly in accordance with law and in the interest of Dargah.

4. The statement is placed on record and the Writ Petition is allowed setting aside the proceedings impugned in the writ petition and liberty as prayed for is granted. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.



JUSTICE S.V. BHATT

NOVEMBER 17, 2016

Note:

Issue C.C.in two (02) days.

(B/o)
YVL

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Dt: 17.11.2016

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