

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMP CASE No. 2087 OF 2015

ORDER :

The petitioner herein filed Writ Petition No. 10024 of 2015 challenging the order dated 20.03.2015 passed by the 3rd respondent Waqf Board therein superseding the District Waqf Committee, Warangal. This Court, by its order dated 09.04.2015, disposed of the said Writ Petition, setting aside the order dated 20.03.2015 and further giving liberty to the respondents therein to conduct inquiry or consider the explanation submitted by the petitioner objectively and pass appropriate orders, if such course is permissible in law. Complaining wilful disobedience on the part of the respondents herein, who are Respondents 3 and 4 in the Writ Petition, of the order dated 09.04.2015, this Contempt Case has been filed.

Entertaining the Contempt Case, this Court issued notice to the respondents. Learned counsel for the Chief Executive Officer of the Waqf Board, the 1st respondent herein, submits that pursuant to the order of this Court dated 09.04.2015, an Enquiry Officer has been appointed *vide* proceedings dated 26.11.2015 to conduct the inquiry into the matter and the report is awaited. The learned counsel further submits that the allegation of the petitioner that he was prevented by the Waqf Board to function as the President of the District Waqf Committee, Warangal, is not true.

On the other hand, learned counsel appearing for the petitioner submits that the 2nd respondent Inspector, despite bringing to his notice the order of this Court passed in the Writ Petition, is not permitting the petitioner to function as the President of the District Waqf Committee. When confronted by this Court, the learned counsel could not produce any evidence to vouchsafe his contention, on the ground that the petitioner was not being allowed as the President in the day to day affairs of the Waqf Committee.

Therefore, from the material available on record, this Court is of the opinion that only on mere apprehension, the petitioner has filed this Contempt Case. Hence, it cannot be said that either the 1st respondent or the 2nd respondent has committed any contempt of this Court's order.

The Contempt Case accordingly stands closed. However, the petitioner is at liberty to assert his rights in accordance with law as long as he is the President of the District Waqf Committee.

Consequently, the miscellaneous Applications, if any shall also stand closed.

CHALLA KODANDA RAM, J

16th November 2016

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