

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND STATE OF ANDHRA PRADESH

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE

&

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT APPEAL No.623 of 2016

Dated: 26.07.2016

WRIT APPEAL No.623 of 2016:

BETWEEN

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The Andhra Pradesh State Wakf Board,
Haj House, Nampally, Hyderabad,
Rep. by its Competent Authority and others.

...APPELLANT

AND

Khaja Syed Sha Baba Ruknuddin,
Ahmed Hussaini Soharverdhi @ Taj Baba,
S/o. KSSB Abdal Hussaini,
R/o. Dargapet, Penugonda Town,
Ananthapur District, Andhra Pradesh and others.

... RESPONDENTS

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE

&

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT APPEAL No.623 of 2016

PC: (Per Hon'ble the Acting Chief Justice Dilip B.Bhosale)

This writ appeal is directed against an interlocutory order dated 19.02.2016 passed in WPMP.No.6957 of 2016 in WP.No.5471 of 2016. In view of the interim order, all further proceedings pursuant to show cause notice dated 18.01.2016 have been stayed.

2. The petitioner, in the writ petition, challenges the show cause notice dated 18.01.2016 calling upon him to show cause as to why enquiry officer's report dated 20.11.2014 should not be rejected and proceed against him in accordance with law.

3. We have perused the order passed by the learned single Judge and so also the prayer in the writ petition and the show cause notice. Learned counsel for parties have agreed for disposal of the writ petition and the instant appeal with the order that we propose to pass and they have fairly stated that we need not record reasons for the same. Hence, we dispose of the writ appeal as well as the writ petition by the following order:

“The writ petitioner shall file reply to the show cause notice within a period of four (4) weeks from today raising all contentions, as raised in the writ petition, including the authority of the third respondent to issue the show cause notice. Respondent No.3 shall decide the show cause notice on merits in accordance with law, dealing with all the contentions raised by the petitioner and dispose it of with speaking order. Till the show cause notice is decided, the parties are directed to maintain status quo insofar as the petitioner's status as Mutawalli of an institution by name Dargah Hazrat Baba Faqrudin Aulia. This interim protection shall remain operative for further period of fifteen (15) days, if the order passed by the third respondent on the show cause notice is adverse to the petitioner. All contentions are kept open.’

Consequently, the miscellaneous applications, if any pending, shall stand closed.

DILIP B.BHOSALE, HACJ

July 26, 2016
DSK

A.V. SETHA SAI, J