

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

WRIT PETITION No.10566 of 2017

ORDER:

Heard the learned counsel for the petitioner and Sri Arifulla, learned counsel for the respondents.

2. The petitioner claims to be the former President of the Wakf Institution i.e., Anjuman-E-Islamia, Guntur Town. According to the petitioner, it is a notified Wakf Institution published in A.P. Gazettee No.26, dated 28.06.1962 at Serial No.878. The Task Force Officer, after holding an enquiry, submitted a report pointing out certain irregularities said to have been committed by the Ex-Managing Committee.

3. It is also stated in the impugned proceedings that thereafter the matter was placed before the competent authority i.e., Wakf Board which ordered to conduct regular enquiry and appointed an Enquiry Officer invoking statutory powers under Section 64 (3) of the Wakf Act, 1995. By way of the notice under the challenge, the enquiry officer called upon the petitioner to submit explanation within a period of 15 days, while fixing the date of enquiry as 25.03.2017 in the office of the A.P. State Wakf Board. It is the case of the petitioner herein that even before ordering such enquiry, the respondents herein ought to have given an opportunity to the petitioner herein.

4. Admittedly, the present notice is a notice issued asking the petitioner to submit his explanation and it is always open for the petitioner herein to bring to the notice of the Enquiry Officer all the aspects. Therefore, this Court is not inclined to entertain the present writ petition at this stage.

5. For the aforesaid reasons, the writ petition stands disposed of, keeping it open for the petitioner herein to respond to the impugned notice dated 06.03.2017 and it is for the Enquiry Officer to consider the same in accordance with law. As a sequel, miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI , J

Date:24.03.2017

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Dated 24.03.2017

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