

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.2901 OF 2017

ORDER:

This civil revision petition, under sub-Section (9) of Section 83 of the Wakf Act, 1955, (for short 'the Act') is filed challenging the order dated 20.03.2017 passed in O.A. No.78 of 2016 (Old O.A.No.6 of 2014) by the Telangana State Waqf Tribunal (for short, 'the tribunal'), Hyderabad, wherein the tribunal dismissed the O.A. on the ground that it has become infructuous.

The petitioner challenged the proceedings dated 20.11.2013 appointing Janab Mohammed Ghouse Pasha and 10 others as Managing Committee under Section 18 of the Act, for a period of three years, to manage wakf property of Dargah Hazrat Bandagi Miyan Syed Roohullah RA, Hzt. Syed Mahmood and Abdul Rahman Khan in graveyard admeasuring Ac.13.26 gts., situated at Sy.No.32, Neknampura Village, Ibrahimbagh, Rajender Nagar Mandal.

Undisputedly the term of the office was three years commencing from 20.11.2013 and it was expired by 20.11.2016. By the date of passing the order under challenge in the revision the term was expired in pursuance of the proceedings dated 20.11.2013. Therefore, question of adjudication of the dispute become more or less academic. Hence, the trial court dismissed the petition. However, during hearing, learned counsel for the petitioner contended that during pendency of O.A., another proceeding No.03/RR/C/2013, dated 06.12.2016 was issued appointing another Committee, consisting of 11 members,

exercising power under the Act. The proceedings dated 06.12.2016 is entirely different and the petitioner is at liberty to challenge those proceedings by an independent O.A., but not in O.A. No.78 of 2016 (Old O.A.No.6 of 2014). The order passed by the tribunal is upheld, having found no merits in the present revision, and the civil revision petition is liable to be dismissed.

In the result, the civil revision petition is dismissed while granting liberty to challenge the proceedings dated 06.12.2016 before appropriate forum, subject to permissibility under law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this civil revision petition shall stand closed.

M.SATYANARAYANA MURTHY, J

Date: 03.07.2017

BV

