

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.20952 of 2017

ORDER:

Heard the learned counsel for the petitioner and Sri M.A.Mujeeb, learned Standing Counsel for 2nd respondent, who offers to file vakalat, and perused the prayer in the writ petition.

2. It is impugning the Wakf Tribunal Judgment, dated 31.03.2017 in O.S.No.112 of 2016, the present writ petition is filed. A perusal of sub-section (9) of Section 83 of the Wakf Act, 1995 shows that there is a provision for filing a revision against the said order.

3. Having regard to the above, as availability of an efficacious alternative remedy, the petitioner, instead of maintaining revision under Article 227 of the Constitution of India to call for records and to decide, maintained the present writ petition under Article 226 of the Constitution of India, thereby from the same pointed out by the learned counsel for 2nd respondent, petitioner wants to withdraw the present writ petition and take back the original papers with a liberty to the petitioner to file a revision and, in the event of filing a revision petition within one week from today, Registry is directed to consider the same without insisting for limitation. Subject to that, permission is granted to return the original papers.

4. With the above direction, the Writ Petition is dismissed as withdrawn. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

JULY 04, 2017

Note:

Furnish C.C.tomorrow.

(B/o)

YVL

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Date: 04.07.2017