

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

[1] Letters Patent Appeal No.1453 of 2016 (O&M)
Date of Decision: May 11, 2017

Moimmul HassanAppellant
versus
State of Punjab and othersRespondents

[2] Letters Patent Appeal No.1528 of 2016 (O&M)

Mohd. YasinAppellant
versus
State of Punjab and othersRespondents

[3] Letters Patent Appeal No.1699 of 2016 (O&M)

Hafiz Manzoor HasanAppellant
versus
State of Punjab and othersRespondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.Arvind Galav, Advocate, for the appellant(s).

-. -

Surya Kant, J. (Oral)

This order shall dispose of LPA Nos.1453, 1528 and 1699 of 2016 as common questions of law and facts are involved in these appeals.

For brevity, the facts are being extracted from LPA No.1453 of 2016.

[2] The appellant is aggrieved by the order dated 22.04.2016 whereby learned Single Judge has dismissed his writ petition in which he sought his continuation as 'Imam' of Masjid Tila Baba Zafar Shah, Ajit Gate, Patiala, beyond the age of 65 years. Learned Single Judge considered the matter in the light of the Punjab Wakf Rules, 1964 and Punjab Wakf Regulations, 1966 formulated under the Wakf Act, 1954 whereunder Imams

have been included amongst the employees of the Wakf Board and their age of retirement has also been prescribed as 65 years.

[3] In the light of those provisions, we are satisfied that the view taken by learned Single Judge does not call for any interference.

[4] Faced with this, learned counsel for the appellant submits that if the Imams have been included in the category of employees of the Board, in that event they should be held entitled to the payment of some respectable amounts towards retiral benefits, which should be sufficient for their sustenance in the old age. He points out that the Administrator, Punjab Wakf Board vide order dated 29.07.1997 had fixed a very nominal amount of few thousand rupees admissible to an Imam on his retirement. We have pondered over the submission. Though there appears to be some merit in the appellant's contention that the amounts admissible to an Imam on his retirement are wholly insufficient for his sustainability, nevertheless, it being a policy matter which falls within the domain of the Wakf Board, suffice it would be to dispose of this appeal with a direction to the Punjab Wakf Board to consider the desirability of suitably revision of the amounts admissible to an Imam after retirement. It shall be appreciated if an appropriate decision is taken within a period of six months from the date of receiving a certified copy of this order.

[SURYA KANT]
JUDGE

May 11, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No