

HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT APPEAL Nos.96 AND 118 OF 2019
AND
WRIT PETITION Nos.19424 OF 2017 AND 3140, 3165, 11048,
11072, 11375 AND 41502 OF 2018

COMMON JUDGMENT/ORDER: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

When the captioned writ appeals were taken up at the instance of the Telangana State Wakf Board, submissions are made on behalf of the writ petitioners in certain other cases also. Hearing the learned Senior Counsel for the parties, we noticed that there are all overlapping contentions in relation to the same stretch of land or parcels thereof. Very many contentions *inter partes* tend to be arising in the different writ petitions and therefore, those writ petitions were also ordered to be taken up and are listed and considered along with the writ appeals. This common Judgment/Order will relate to all of them.

2. Writ Appeal Nos.96 and 118 of 2019 are filed by the Telangana State Wakf Board and the Chief Executive Officer. The challenge levied through the Writ Appeals is against the interlocutory orders issued on I.A.No.1 of 2019 in Writ Petition Nos.2328 and 2327 of 2019. Those orders dated 07.02.2019 have essentially set at naught a notification issued by the Wakf Board in relation to certain properties.

3. Hearing the learned Senior Counsel for the Wakf Board and the learned Senior Counsel for the contesting respondent as well as the learned senior advocates representing in the other connected matters, namely, Writ Petition Nos. 19424 of 2017 and 3140, 3165, 11048, 11072, 11375 & 41502 of 2018, we are clear in our mind that there is every opportunity of contradictory orders being issued if all the Writ Petitions enlisted above are not taken up in one go for consideration for final hearing or for passing further interlocutory orders, including on any request for vacating the orders which have already been passed. This will bring consistency to all litigations which relate to the properties covered by the notification issued by the Wakf Board.

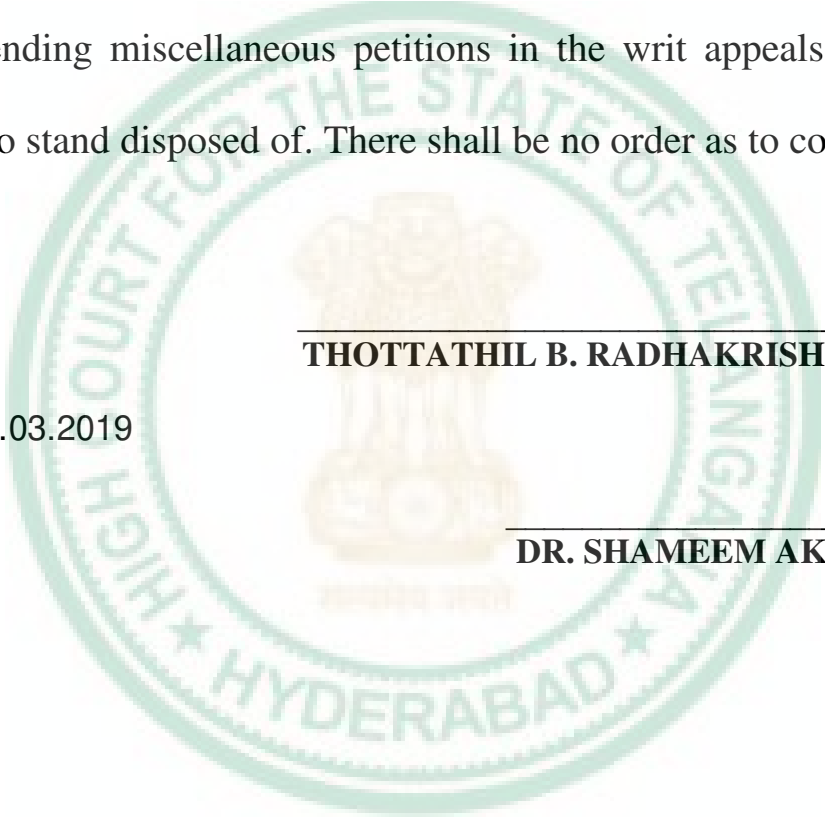
4. In the aforesaid view of the matter, we order these Writ Appeals directing that all the Writ Petitions captioned hereinabove shall be listed collectively before the learned Single Judge for considering for being proceeded with in the lines which we have indicated hereinabove. It is clarified that the learned Single Judge may proceed with the matter as may be deemed appropriate; either by moulding the interlocutory orders and granting or refusing applications for interlocutory relief; or, having all matters finally heard, subject to the convenience of the Court. We hope and trust that this endeavour would be carried out within a period of three (3)

weeks from now. The orders impugned in these appeals would, until then, be treated as *ad interim*. They are modified to that extent.

5. The Writ Appeals are ordered accordingly.

6. Post the writ petitions i.e., W.P.Nos.19424 of 2017, 3140, 3165, 11048, 11072, 11375 and 41502 of 2018 on 07.03.2019, before the learned single Judge.

Pending miscellaneous petitions in the writ appeals, if any, shall also stand disposed of. There shall be no order as to costs.

A large, faint, circular watermark seal of the High Court for the State of Telangana, Hyderabad, is centered in the background. It features the state emblem of India in the center, surrounded by the text 'HIGH COURT FOR THE STATE OF TELANGANA' and 'HYDERABAD' at the bottom.
THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 01.03.2019

DR. SHAMEEM AKTHER, J

kvni/pln