

ITEM NO.9

COURT NO.12

SECTION XIIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 24289/2011

(Arising out of impugned final judgment and order dated 30/04/2011 in WA No. 70/2011 passed by the High Court Of A.P. At Hyderabad)

A.P.STATE WAKF BOARD

Petitioner(s)

VERSUS

HAFIZ SYED SALEEM BASHA

Respondent(s)

(with interim relief and office report)
(For Final Disposal)

Date : 02/02/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Basava Prabhu Patil, Sr. Adv.
Mr. Annam D. N. Rao, Adv.
Mr. Chinmay Deshpande, Adv.
Mr. M. A. K. Mukheed, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Sudipto Sircar, Adv.
Mr. Ankita Chadha, Adv.

For Respondent(s) Ms. Prerna Singh, Adv.
Mr. Prashant Mathur, Adv.
Mr. Guntur Prabhakar, Adv.

UPON hearing counsel the Court made the following
O R D E R

The learned senior counsel appearing for the appellant-A.P. State Wakf Board points out that the issue under challenge before the High Court was the inconsistency between the Government Order dated 10.11.2002 and Circular dated 30.11.2002 with the Kazis Act, 1880.

However, according to the learned senior counsel appearing for the appellant, the High Court, in the impugned Judgment, has

gone beyond the scope of the writ petition and has made certain unwarranted clarifications without addressing the core issue of vires.

If that is so, it would certainly be open to the appellant-Wakf Board to approach the High Court by way of an application for review or clarification, as the case may be.

We make it clear that if such an attempt is made, the same would be heard by the High Court on merits.

Subject to the above liberty, the Special Leave Petition is disposed of.

Pending interlocutory applications, if any, are disposed of.

(Jayant Kumar Arora)
Sr. P.A.

(Renu Diwan)
Court Master