

ITEM NO.9

COURT NO.12

SECTION XIIA

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

I N D I A

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 NARIMANFor 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 dat

ed
Signature Not Verified

30.11.2002 with the Kazis Act, 1880.

Digitally signed by

Jayant Kumar Arora

Date: 2016.02.05

15:46:31 IST

Reason:

However, according to the learned senior counsel appearing

for the appellant, the High Court, in the impugned Judgment, has

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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