

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST 2021

PRESENT

THE HON'BLE MR. JUSTICE ALOK ARADHE

AND

THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

**C.C.C. NO.458 OF 2021**

BETWEEN:

DAWOOD KHAN,  
S/O LATE RAHAMAN KHAN,  
AGED ABOUT 42 YEARS,  
D.NO.1995, 15TH WEST CROSS,  
ASHOK ROAD, LASHKAR MOHALLA,  
MYSURU - 570 001.

...COMPLAINANT

(BY SRI RAHAMATHULLA KOTHWAL, ADVOCATE)

AND:

1. KARNATAKA STATE BOARD OF WAKFS,  
CUNNINGHAM ROAD,  
BENGALURU - 560 052,  
REPRESENTED BY ITS  
CHIEF EXECUTIVE OFFICER.
2. THE DEPUTY COMMISSIONER,  
MYSURU DISTRICT,  
MYSURU - 570 001.
3. THE TAHSILDAR,  
MYSURU DISTRICT,  
MYSURU - 570 001.
4. THE WAQF OFFICER,  
DISTRICT WAQF ADVISORY COMMITTEE,  
MYSURU - 570 001.

5. MOHAMMED YUSUF Y.M,  
CHIEF EXECUTIVE OFFICER,  
KARNATAKA STATE BOARD OF WAKFS,  
AGED ABOUT 55 YEARS,  
OFFICE AT DARUL AWKF,  
#6, CUNNINGHAM ROAD,  
BENGALURU - 560 052.

...ACCUSED

(BY SMT. S.R.ANURADHA, ADVOCATE FOR A5)

THIS C.C.C. IS FILED UNDER SECTION 11 AND 12 OF CONTEMPT OF COURTS ACT, 1971, BY THE COMPLAINANT, WHEREIN HE PRAYS THAT THE HON'BLE COURT MAY BE PLEASED TO TAKE NECESSARY ACTION AGAINST THE ACCUSED PERSONS BY INITIATING THE CONTEMPT PROCEEDINGS AND PUNISH THE ACCUSED PERSONS FOR DELIBERATE AND WILLFUL DISOBEDIENCE OF THE FINAL ORDER PASSED BY THE LEARNED SINGLE JUDGE BENCH OF THIS HON'BLE COURT IN W.P.NO.5777/2019 (GM-WAKF) DATED 05TH JULY 2019 VIDE ANNEXURE-A AND GRANT SUCH OTHER RELIEFS AS THIS HON'BLE COURT DEEMS FIT.

THIS C.C.C. COMING ON FOR ORDERS THIS DAY,  
**ALOK ARADHE J.**, MADE THE FOLLOWING:

### **ORDER**

This petition has been filed alleging non compliance of the order dated 5.7.2019 passed by the learned single Judge of this Court in W.P.No.5777/2019 by which it disposed of with a direction to the competent authority to consider and decide the representation which may be submitted by the petitioner in accordance with law after affording an opportunity of hearing to all the necessary parties.

2. When the matter was taken up today, the learned counsel for the accused submitted that, in compliance of the order, the representation has already been decided by an order dated 23.03.2020. Despite of having intimated the decision dated 23.03.2020, which was made in compliance of the order dated 05.07.2019 the petitioner has deliberately initiated contempt proceedings.

3. At this stage, the learned counsel for the complainant submits that he may be granted liberty to assail the order dated 23.03.2020 in accordance with law.

4. In view of the aforesaid submission, contempt proceedings are dropped reserving liberty to the complainant to assail the order dated 23.03.2020.

**Sd/-  
JUDGE**

**Sd/-  
JUDGE**

HR