NC: 2023:KHC-K:1073-DB
CCC No. 200017 of 2023

IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 14TH DAY OF JUNE, 2023

PRESENT

THE HON'BLE MR.JUSTICE B.M.SHYAM PRASAD

AND

THE HON'BLE MR.JUSTICE UMESH M ADIGA

CIVIL CONTEMPT PETITION NO.200017 OF 2023

BETWEEN:

SAYED SHAH MURTUZA HUSAINI-UL-QUADRI
(FAISAL PASHA) S/O SYED ABDULKHADAR
HUSSAINI,
AGE: 48 YEARS, OCC: SAJJADA NASHEEN OF
DARGHA HAZRATH SYED SHAH MURTUZA QUADRI
ILKAL, TQ: HUNGUND, DIST: BAGALKOT AND ALSO
DARGHA HAZRATH SAYED SHAH ABDUL HASAN
KHADRI ALIAS DADAPEER, HANAMSAGAR
DIST: KOPPAL,
R/O: NEAR ILKAL DARGHA, ILKAL,
TQ: HUNGUND, DIST: BAGALKOT

Digitally signed by
SWETA KULKARNI
Location: HIGH
COURT OF
KARNATAKA

…COMPLAINANT

(BY SRI. KOUJALAGI CHANDRAKANT LAXMAN, ADVOCATE)

AND:

1. SHRI SAYED SHAH SULTAN AHEMED KHADRI
S/O SAYED SHAH ABDUL HASAN KHADRI,
R/O: KANKAL, TQ: B. BAGEWADI
DIST: VIJAYAPUR

2. SHRI PARVEZ KHAN
AGE: 50 YEARS,
OCC: CHIEF EXECUTIVE OFFICER,
KARNATAKA STATE BOARD WAKFS,
6TH CUNNINGHAM ROAD,
BENGALURU-560 052

…ACCUSED

3. THE SECRETARY TO THE GOVERMENT OF
KARNATAKA
DEPT. OF WAKF AND HAJJ,
VIKAS SOUDHA,
BENGALURU-560 001

…PROFOMA PARTY

(BY SRI. RAVI BHEEMSINGH CHAWAN, ADVOCATE FOR R/A1; SRI. P.S. MALIPATIL, ADVOCATE FOR R/A2; SRI. MALLIKARJUN C. BASAREDDY, GA FOR R/A3)

THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT R/W 215 OF CONSTITUTION OF INDIA, PRAYING TO INITIATE CONTEMPT PROCEEDINGS FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT AGAINST THE ACCUSED NOS.1 AND 2 FOR HIS DELIBERATE/WILLFUL DISOBEDIENCE TO THE ORDER PASSED BY THE HONOURABLE HIGH COURT OF KARNATAKA BENGALORE IN MFA NO.7077/2004 DATED 18.06.2008 AS PER "ANNEXURE-D", IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION COMING ON FOR ORDERS THIS DAY, ***B.M. SHYAM PRASAD J.,*** MADE THE FOLLOWING:

ORDER

Sri C.S. Inamdar, the learned counsel on record for the complainant, when pointed out that the complainant does not even allege disobedience of any particular directions, that contempt proceedings cannot be sustained to pre-empt a decision because of some apprehension as now canvassed and that this Court will consider imposition of cost if the complaint is seen as adventurous effort, submits that he would withdraw the complaint, and in fact, he files a memo for leave to withdraw.

The memo is taken on record, and the complaint stands closed as withdrawn.

Sd/-
JUDGE

Sd/-
JUDGE

BL
List No.: 1 Sl No.: 19