

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 3393/2018
M.A. No.3812/2018

Reserved On: 26.11.2018

Pronounced on: 30.11.2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

Qari Ashraf, Iman, Age 40 years
S/o Hafiz Mohammad Asghar,
R/o T-14, Batla House,
Muradi Road, Delhi.

.. Applicant

(By Advocate: Shri Tabrez Ahmad)

Versus

1. Delhi Waqf Board,
Through its CEO,
5028, Daryaganj,
Delhi-110002.

2. Chairman,
Delhi Waqf Board,
5028, Daryaganj,
Delhi-110002.

3. NCT of Delhi
Through its Secretary,
Department of Minority Affairs,
Delhi Secretariat,
Delhi.

.. Respondents

ORDER

By Hon'ble Mr. V. Ajay Kumar, Member (J)

MA No. 3812/2018 filed for seeking exemption is allowed.

2. The applicant, an Honorary Imam of the 1st respondent-Delhi Waqf Board, filed the OA seeking the following reliefs:-

“(A) This Hon’ble Tribunal may kindly be directed the respondents to release the salary and arrears of the applicant from the year 2007 till date as detailed out in Ground II hereinabove.

(B) Any other and further relief in the facts and circumstances of the case in favour of applicant”.

2. Heard Shri Tabrez Ahmad, the learned counsel for the applicant.

3. As submitted, since his appointment in the year 1994, vide Office Order dated 23.12.1994, the applicant has been discharging his duties as an Honorary Imam, by receiving an honorarium which is enhanced from time to time. It was not the case of the applicant that he was appointed at any point of time as a regular employee of the 1st respondent- Delhi Waqf Board. Even the Waqf Board Regulations, 2014, enclosed to the OA, more particularly, Regulation No.79, excludes the applicability of the Regulations 49 to 80, which governs the terms and conditions of regular officers and employees of the Board’s to Imams. The applicant himself failed to show how the provisions of the Administrative Tribunals Act, 1985, are applicable to him and under what provision of law, this Tribunal can exercise jurisdiction over the grievances of the applicant, as Honorary Imam.

4. In the circumstances and for the aforesaid reasons, the OA is dismissed, as not maintainable before this Tribunal. However, this

order shall not preclude the applicant from availing his remedies by approaching a competent court of law, if he is so advised. No costs.

(A.K. BISHNOI)
Member (A)

(V. AJAY KUMAR)
Member (J)

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