



CNR: KAHC010363652026

CCC NO. 595/2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[SRI. ABDUL HAMEED PASHA VS. SRI. PRADEEP SIMHA AND
ANOTHER]

24.09.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

ORDER ON I.A.No.1/2026

I.A.No.1/2026 is filed seeking impleadment of the applicant as respondent No.3. The proposed respondent/the applicant is Al-Jamia Mohammediyah Education Society. An affidavit has been filed by Khalid Musharruf.

2. A perusal of the affidavit filed in support of the application reflects that some internal dispute is alleged to exist between certain sections of the Education Society. Civil disputes are also pending. Allegations regarding functioning of the applicant society is stated to be raised earlier by persons associated with the complainant before the Charity Commissioner, Maharashtra State, Mumbai. An order passed by the Charity Commissioner was carried to the Supreme Court, by means of a Special Leave Petition, which came to be

Digitally
signed by K G
RENUKAMBA
Location:
High Court of
Karnataka



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dismissed. It is stated that the proceedings and orders are material and relevant to the issues sought to be raised by the complainant in the present proceedings and therefore the applicant society is required to be heard before any observation, finding or direction is made concerning its registration, identity, management or functioning. The utilisation certificates of certain amounts are also stated to have been submitted before the concerned Department and there is no diversion or misutilisation of the sanctioned amount.

3. In our considered opinion, the application is misconceived. This is a contempt petition. It is for the Court to see whether contempt is committed by the accused. The complainant has filed this petition alleging deliberate disobedience of the order dated 24.09.2025 in W.P.No.28977/2025. Therefore, we reject the application.

ORDER ON PETITION

4. Accused No.1 as well as the Director, Directorate of Minorities is present in Court for framing of charge.

5. An affidavit has been filed by the Director, Directorate of Minorities Smt. Yasminbegam. G. Walikar by the learned Additional Government Advocate in Court today which



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is taken on record. It is stated therein at paragraph Nos. 13, 14, 15 and 16 as follows:

"13. I respectfully submit that, the said team visited the school premises on 22-09-2026 and enquired regarding the allegations and during the course of the proceedings before the Investigation Team, the concerned School Management requested time to comply with the directions and to remit the amount of ` 5,00,000/- due to the Government. Considering the request made by the School Management, time was granted up to 26.09.2026 for compliance. Copy of the Interim Report dated 22-09-2026 along with the translated is herewith produced and marked as ANNEXURE-R8.

14. I respectfully submit that the recovery proceedings are presently under process and are being closely monitored by the Directorate of Minorities. The concerned District Officer and the Investigation Team have been directed to take all necessary and expeditious steps to secure recovery of the amount of ` 5,00,000/- along with the interest as stated above and remit it to the Government.

15. I further state that the Department of School Education had lodged a criminal complaint in Crime No.30/2026 dated 27-01-2026 with the Kothnur Police Station, Bengaluru. I have followed up on the said criminal complaint and a Report has been issued by the concerned Investigating Officer regarding the progress made in the investigation pursuant to the complaint. Copy the said Report furnished by the Police is herewith produced and marked as ANNEXURE-R9. As per the Report, the investigation has been going on and a Final Report is yet to be filed. The Minorities Department is also fully co-operating in the investigation with respect to the fraud committed by the said institution.

16. I respectfully submit that the Directorate of Minorities has taken the matter seriously and that necessary action has already been initiated pursuant



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to the letter dated 20.08.2026 and in compliance with the directions issued by this Hon'ble Court."

6. We find from the affidavit that a criminal complaint by the Department of School Education in Crime No.30/2026 dated 27.01.2026 with the Kothnur Police Station, Bengaluru has been lodged. The deponent has stated that the criminal complaint has been followed up and a report has been issued by the concerned Investigating Officer regarding the progress made in the investigation.

7. As per the report, the investigation has been going on and a final report is yet to be filed. The Minorities Department is also fully cooperating in the investigation with respect to the fraud committed by the said Institution.

8. It is noted that the criminal complaint was lodged on 27.01.2026. But even till date, as informed by the learned Additional Government Advocate, the charge sheet has not been filed. Under the circumstances, we defer framing of charge on the accused.

9. List this matter on 17.11.2026.

10. A status of the investigation shall be communicated to the Court as well as the compliance by the Institution of the



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deposit that was ordered by the Court. On the next date of listing, the Director, Directorate of Minorities need not appear. However accused No.1 shall remain present in Court.

11. In view of the fact that the investigation is taking inordinately long time, we would require the Commissioner of Police, Bengaluru to issue appropriate directions to the police so that unnecessary delay in completion of the investigation can be avoided. The needful be done as soon as possible.

12. We would require the learned Additional Government Advocate to communicate this order without any delay to the Commissioner of Police.

13. The copy of the writ petition shall be filed by learned Counsel for the complainant on the next date of listing.

(JAYANT BANERJI)
JUDGE

(TARA VITASTA GANJU)
JUDGE