

Wakf Act, 1954

Section 38 - POWER OF THE BOARD TO PAY DUES IN CASE OF DEFAULT BY MUTAWALLI

1) Where a mutawalli refuses to pay or fails to pay any revenue, cess, rates or taxes due to the Government or any local authority,¹¹³[the Board or where such refusal or failure occurs after the commencement of the Wakf (Amendment) Act, 1984 the Wakf Commissioner] may discharge the dues from the Wakf Fund and may recover the amount so paid from the wakf property and may also recover damages not exceeding twelve and a half per cent. Of the amount so paid. (2) Any sum of money due under sub-section (1) may, on a certificate issued by the ¹¹⁴[Board or as the case may be, the Wakf Commissioner] after giving the mutawalli concerned an opportunity of being heard, be recovered in the same manner as an arrear of land revenue.