

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10316 of 2013

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1. MD. AZAD ANSARI @ AZAD
2. MD. MANZAR ANSARI ALIAS MANZAR
3. MD. ASGHAR ANSARI @ ASGHAR
4. MD. AZHAR ANSARI @ AZHAR
5. MD ASAD ANSARI @ ASAD
6. MD AWAIS ANSARI @ AWAIS
7. MD SAMI AHMAD, ALL RESIDENT OF VILLAGE PANCHBIR POLICE
STATION SAHEBPUR KAMAL DISTRICT BEGUSARAI. Petitioners

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY,
DEPARTMENT OF MINORITY WELFARE, GOVERNMENT OF BIHAR
2. CHAUDHARY MD. KAMRAN ALIAS BABLOO
3. BIHAR STASTE SUNNI WAKF BOARD, HAJ BHAWAN, PATNA
..... Respondents

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Appearance :

For the Petitioner/s : Mr. Shabbir Ahmad, Advocate
For the Respondent/s : Mr. Gautam Bose, AAG 8
Mr. Rashid Ijhar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

3 27-07-2015 The petitioners have challenged order dated 5.7.2011,
passed in Titie suit no. 1 of 2011 by the Presiding officer, Bihar
Wakq Tribunal, Patna restraining alienating, dispossessing or
changing the nature of the suit property.

The case of the defendant, in the written statement, was
that the land in question is not a Wakf property and the same
was wrongly included in the list of Wakf property by the
dedicator Chaudhary Amzad Hussain who had not right, title
and interest over the suit land. It would appear from the
impugned order that the property is registered as Wakf property
in the Wakf Board. Learned counsel submits that merely on the

basis that it is registered as Wakf property, it cannot be said with all certainty that the property is a Wakf property.

The aforesaid matter is itself a subject matter of the Title suit no. 1 of 2011. The impugned order restraining the defendant petitioner passed in the year 2011, whereas the writ petition has been filed in 2013. I do not find any reason to interfere in the matter.

The writ petition is disposed of with observation that the hearing of aforesaid title suit be expedited and disposed of preferably within a period of six months.

(Samarendra Pratap Singh, J)

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