

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2219 of 2013

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1. Majalise Muntzima Jama Masjid through its Secretary, Dr. Khalid Ali Siddiqui Mohalla - Baradari, P.O. + P.S. - Sasaram, District - Rohtas
 2. Dr. Khalid Ali Siddiqui S/O Fajal Hasan R/O Mohalla - Dalarganj, Baradari, P.O. + P.S. - Sasaram, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. The Home Secretary, Government of Bihar, Patna
3. The Director General of Police, Government of Bihar, Patna
4. The Principal Secretary, Minority and Affairs, Government of Bihar, Patna
5. The District Magistrate, Rohtas at Sasaram
6. The S.D.O, Sasaram, Rohtas
7. The Sub-Divisional Police Officer, Sasaram, Rohtas
8. The Officer-In-Charge, Sasaram Town Police Station, Sasaram, Rohtas
9. Sasaram Nagar Parishad through its Executive Officer, Sasaram, Rohtas
10. Musa Prasad S/O Bhuneshwar Prasad R/O Mohalla - Kila, P.S. – Sasaram, District - Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey
For the Respondent No.1 to 8 : Mr. Purnendu Singh, G.P. 27
Mrs. Sunita Kumari, AC to G.P. 27
For the Respondent No.9 : Mr. Vijay Shankar Upadhyay
For the Respondent No.10 : Mr. Akhauri Vipin Bihari Shrivastava

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 25-06-2015 Heard the parties.

In view of the nature of grievances raised on behalf of the petitioners indicated in paragraph-1 of the writ petition, this Court is of the opinion that the interest of justice shall be subserved if the petitioners are granted liberty to approach the respondent District Magistrate, Rohtas at Sasaram at first instance by filing a detailed representation with all supporting documents raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a representation is filed on behalf of the petitioners with a certified copy of the present order within a

period of one month from today, then the respondent District Magistrate, Rohtas at Sasaram shall be obliged to consider and decide the claims of the petitioners in accordance with law, but before doing that he shall further be obliged to give an opportunity of hearing to all concerned including the respondent no.10 as according to him a civil suit is already pending at the instance of the petitioners with respect to the property in question in the civil court.

It goes without saying that despite pendency of the civil suit between the parties, if any situation arises involving the law and order problem on account of interference by any party in observance of religious ritual/ rites of other party, then the District Magistrate, Rohtas at Sasaram or any other competent authority of the respondent State shall be at liberty to start an appropriate proceeding for maintaining peace and trainability in the society.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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