

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7552 of 2011**

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Gulam Mustafa S/O Late Abdul Wahid Resident Of Village And P.O. Mansoorpur Chamarua, P.S. Karja, District Muzaffarpur, Presently Mutawali Of Masjid Mohammadpur Eme.

.... .... Petitioner

Versus

1. The State Of Bihar
2. The District Magistrate, Muzaffarpur, District Muzaffarpur.
3. The Circle Office, Kanti, District Muzaffarpur.
4. The Bihar State Sunni Wakf Board, Patna Through The Chief Executive Officer.
5. The Chief Executive Officer, The Bihar State Sunni Wakf Board, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate  
For the Respondent/s : Mr. Anil Kr Uapdhyay, SC20

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

5      16-01-2015                      The petitioner has prayed for directing the respondents to remove encroachment over the land of Wakf Estate No.1461 i.e. Masjid of Mohammadpur Ema which has been encroached by some anti social elements. In paragraph 4 of the writ petition he stated that his ancestors donated the land for the purpose of construction of Masjid and the said land was registered as Abdul Wahid Wakf Estate No.1461 by the Bihar State Sunni Wakf Board and petitioner was appointed as a Mutawali by the Bihar State Sunni Wakf Board vide letter no.2958 dated 29.11.1973.

It is submitted at the Bar that petitioner has died and

as such it would be necessary to substitute his heirs/successors to pursue the remedy.

In view of nature of relief sought, the writ petition stands disposed of with observation that if any application is filed by the heirs/successors of deceased petitioner before respondents no.2 or 3, the same would be disposed of preferably within a period of four months from the date of receipt/production of this order, after hearing the parties.

Shashi.

**(Samarendra Pratap Singh, J)**

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