

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9194 of 2014

=====

Md. Muslim son of Late Md. Siddique resident of Mohalla : Nabiganj, Ekangarsarai, P.O. AND P.S. Ekangarsarai, District : Nalanda, presently Secretary of Ekangarsarai Masjid, P.S. : Ekangarsarai, District : Nalanda.

.... Petitioner.

Versus

1. Ramesh Chaudhary son of Late Preman Chaudhary resident of village Ekangarsarai, P.O. AND P.S.: Ekangarsarai, District : Nalanda.
2. The State of Bihar through the Collector, Nalanda at Biharsharif.
3. Bihar State Sunni Wakf Board through its Secretary, S.P. Verma Road, Patna - 1.
4. Gayasuddin son of Md. Abdul Gafaruddin resident of Village , P.O. AND P.S. - Ekangarsarai, District : Nalanda, the then Secretary of Ekangarsarai Masjid, P.S. : Ekangarsarai, District : Nalanda.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Amar Nath Singh

For the Respondent No.3 :Mr. Anish Akhtar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 09-05-2016 No body appears on behalf of the petitioner even after repeated calls.

The learned counsel for the respondent no.3 is present and has been heard.

By the impugned order the learned court below has rejected the petition filed on behalf of the defendant no.1- petitioner for transferring the suit to Wakf Board for hearing and disposal.

The learned court below after hearing the parties has come to the conclusion that the defendant-petitioner

has failed to bring on record any material to show that the suit property is wakf property. Even in the present application also there is no such material to establish even prima facie that the suit property is wakf property. The plaint of the suit has not been annexed with the present application.

As no body has appeared on behalf of the petitioner, the application is dismissed as not pressed.

(V. Nath, J)

Nitesh/-

U			
---	--	--	--