

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12124 of 2013**

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Syed Najib Ahmad Son Of Late Syed Lateef Ahmad Mutawalli Of Wakf  
Estate No. 705, Adda Road, Sasaram, Resident Of Mohalla Koran Sarai,  
Sasaram, Post Office Sasaram, Police Station Sasaram, District Rohtas

.... .... Petitioner/s

Versus

1. Asiya Praveen Wife Of Najib Ahmad Resident Of Mohalla Koran Sarai,  
Sasaram, Post Office Sasaram, District Rohtas
2. The Bihar State Sunni Wakf Board, Patna Through Its Chairman, Bihar  
State Sunni Wakf Board, Haj Bhawan, Harding Road, Patna
3. Sheikh Ishrat Son Of Late Sheikh Shafi Resident Of Mohalla Koran  
Sarai (Rasulpur), Post Office Sasaram, Police Station Sasaram, District  
Rohtas
4. Sheikh Khurshid Son of Late Sheikh Shafi.
5. Sheikh Shaukat Son of Late Sheikh Shafi.
6. Sheikh Azad Son of Late Sheikh Shafi.
7. Laila Khatoon Wife Of Md. Kamran
8. Mustri Begam Wife Of Late Md. Zahoor, Daughter Of Late Sheikh  
Shafi
9. Nargis Khatoon Wife Of Md. Sadique, Daughter Of Late Sheikh Shafi
10. Safada Bibi Wife Of Late Sheikh Shafi Resident Of Koran Sarai  
(Rasulpur), Post Office Sasaram, Police Station Sasaram, District  
Rohtas.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE V. NATH**  
**ORAL ORDER**

4      09-11-2016      Mr. Jitendra Prasad Singh, advocate has appeared on  
behalf of the respondent no. 3 and has made his submissions. The  
petitioner has remained unrepresented in spite of repeated calls.



By the impugned order, the learned court below has rejected the prayer of the defendant no. 2 for amendment in the written statement. It transpires from the perusal of the impugned order that the learned court below after considering the facts and circumstances of the case has come to the finding that the amendment as prayed is not bonafide.

Mr. Singh, learned counsel for the respondent no. 3 has also submitted that in fact after the impleadment of the respondent no. 3 in the suit as intervenor-defendant the plaintiff and defendant no. 2 connived and the amendment in the written statement has been purposely prayed whereby the claim made by the plaintiff has been admitted.

After perusal of the impugned order and the reasonings assigned by the learned court below, this Court does not find it a fit case to invoke the jurisdiction under Article 227 of the Constitution of India for interdicting the impugned order.

The application is, accordingly, dismissed.

**(V. Nath, J)**

Devendra/-

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