

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 2402 of 2004

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Syed Askari Hadi Ali Augustine Imam @ Tootoo Imam, Son of late Syed Hasan Imam, resident of the Konar Avenue, Hazaribag-Ranchi Road, Post Box No. 40, P.O. Hazaribag and District Hazaribagh;
At present – “Kehilan” Village Kesura, Sub P.O. Rola, under Head P.O. Hazaribag – 825301, P.S. Mofussil, Hazaribag, District Hazaribag (Jharkhand).

.... Petitioner

Versus

1. Dr. Shahida Hasan, wife of Mr. Azfar Hasan, and daughter of the late Mr. Syed Hasan Ahmed Sami, Mutawallia duly appointed by the Bihar State Shia Wakf Board, of the suit property besides other properties comprising the wakf, residing at Ramna Bagh, Naya Tola, P.S. Pirbahore, in the town and District of Patna.
2. The Bihar State Shia Wakf Board having its office at Abdeen House, Fraser Road, Patna-800001 through its Secretary ...(Plaintiffs no. 1 & 2 in the court below) Opposite Party Ist Set.
3. Syed Hasan Francis Imam, son of Syed Askari Hadi Ali Augustine Imam;
4. Miss Nattie Sahbat Imam (now Mrs. Nattia Sahbat Yadav, wife of Mr. Atul Yadav) daughter of Syed Askari Hadi Ali Augustine Imam, Both residents of Konar Avenue, Hazaribag-Ranchi Road, Post Box No. 40, P.O. Hazaribag and District Hazaribagh; At present – “Kehilan” Village Kisura, Sub P.O. Rola, under Head P.O. Hazaribag-825301, P.S. Mofussil, Hazaribag, District Hazaribag (Jharkhand).
5. Syed Alfred Rasol Hasan Imam, son of Syed Askari Hadi Ali Augustine Imam, resident of The Grove, P.O. Hazaribag, District Hazaribag.
6. Mr. Amirullah Beh, son of Md. Hamidullah Beg (Retired Chief Justice of India);
7. Mrs. Amna Beg, daughter of Mr. Hamidullah Beg (Retired Chief Justice of India); Both residents of New Ben Road, Butteganj, Lucknow, U.P.
8. Mrs. Hafsa Sami wife of Late Syed Hassan Ahmad Shami, resident of “Sapana Apartment”, Flat No. H2, P.S. Pirbahore, District Patna [*Name of O.P. – 8 has been expunged vide Order dated 07/09/12.*]
9. Mrs. Sahla Hassan, wife of Dr. Akhtar Sami, resident of 34 A.Rye Bank Road Stret Ford, Manchester M 16, O.F.P. United Kingdom.
10. Syed Raza Ahmad Sami S/o Late Syed Hassan Ahmad Sami, resident of 214, Budd Lade Drive, Fairmont Minnesota – 56031, United States of America.
11. Mrs. Esmee Sami, wife of late Dr. Ali Ahmad Sami, resident of Darul Aman, Budha Colony, P.S. Budha Colony, District and town Patna. [*Name of O.P. – 11 has been expunged vide Order dated 07/09/12.*]
12. Mrs. Muniba Sami wife of Dr. Shankar Dutta, resident of Parul Aman, Budha Colony, P.S. Budha Colony, Town and District – Patna.
13. Mr. Zain Ahmad Sami, son of Dr. Ali Ahmad Sami, resident of 1, Meadow Close, Coy Church, Bridgend Mid Glam, C-F 35 5HH United Kingdom.
14. Mrs. Alka Abedin W/o Mr. S. Abedin, resident of 8 Corbina Land, Harrow, Middle Sex, HA2 8EH, United Kingdom.
15. Mrs. Asif Hussain, son of Mr. Ahmad Hussain;



16. Miss Khadija Hussain, daughter of Mr. Ahmad Hussain, Both son and daughter of late Mrs. Anis Hussain; Both residents of Apt. 1105, 5565 Corn Wallis Street Halifax, Nova Scotia, B-B K 5K.G. Canada. (Defendant no. 1, 2, 4 & 6 to 16 in the court below)

..... Opposite Parties

17. Faiz Murtaza Ali S/o late (Justice) Murtaza Fazal Ali, R/o 112, Uday Park, New Delhi through his attorney Anwer Najmi S/o late Akhtar Sayeed Mojibi, resident of Quddus Vakil Compound, Dariyapur, P.S. Pirbahore, Town and District – Patna.

18. Mrs. Tehmina Imam Punvani, D/o Late Syed Akbar Imam at present resident of 3rd Floor, Geetanjali Enclave, New Delhi through her special power of attorney holder namely Anwer Najmi S/o late Akhtar Sayeed Mojibi, resident of Quddus Vakil Compound, Dariyapur, P.S. Pirbahore, Town and District – Patna. *[O.P. 17 & 18 impleaded as intervenor Ops. Vide order dated 13-03-2013].*

.....Intervenor O.P.

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Appearance :

For the Petitioner/s : Mr. Abinash Kumar
For the Resp. No. 13 & 14 : Mr. Shashank Shekhar Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

26. 27-04-2017 In view of changed circumstances, Sri Abinash Kumar, learned counsel for the petitioner does not want to press the petition.

The petition stands dismissed as not pressed.

(Rakesh Kumar, J.)

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