

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14123 of 2015

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Syed Shahid Imam son of Syed Abid Imam, Mutawalli Fazal Imam Public and Religious Charitable Trust, 168/Patna, resident of Flat No.705, Sharf Apartment, Fraser Road, Police Station- Gandhi Maidan, District -Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Minority Welfare Department, Haj Bhawan, 34 Ali Imam Path, Harding Road, Patna.
2. The Bihar State Shia Wakf Board through Chief Executive Officer, Haj Bhawan, 34 Ali Imam Path, Harding Road, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza, Advocate
For the Respondent no.1 : Mr. Sajid Salim Khan, SC-25
For the Vigilance : Mr. Rabindra Kumar AC to Vigilance I/c
For the Shia Wakf Board : Md. Khurshid Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 29-11-2017

It is submitted by Mr. Syed Firoz Raza, learned counsel for the petitioner that due to efflux of time, the prayers made in the present writ petition have become infructuous.

Mr. Sajid Salim Khan, learned counsel for the State submitted that pursuant to the order dated 17.10.2017 passed by this Court, the State is in the process of filing counter affidavit to the writ petition as also to the Interlocutory Application No.7621 of 2017 filed on behalf of the three intervenors.



Learned counsel appearing for the intervenors submitted that due to interim order passed by this Court, the Vigilance Investigation Bureau conducted an inquiry pursuant to which an FIR has been instituted, which is contrary to the records and which makes out no cognizable offence against the intervenors.

I have heard learned counsel for the parties.

Be that as it may, as the petitioner submitted that the writ petition has become infructuous, in the opinion of this Court, no useful purpose would be served by keeping the matter pending for filing of counter affidavit on behalf of the State. The writ petition and the Interlocutory Application are, accordingly, disposed of.

In case the intervenors are aggrieved due to institution of an FIR against them, they may challenge the same by filing a separate application in this regard.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.11.2017
Transmission Date	NA

