

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8300 of 2012

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Shambhavi Marketing Pvt. Ltd. through its Director, Mrs. Sima Choudhary W/o
Mr. Sanjai Kumar R/o 82, Jamuna Apartment, Boring Road, P.S.- Sri Krishnapuri,
District- Patna

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Patna
3. Bihar State Shia Waqf Board through its Chief Executive Officer, Patna
4. The Senior Superintendent of Police, Patna
5. Fazal Imam Public Religious and Charitable Trust through its Muttawali, Janab
Syed Faiz Murtaza Ali S/o Late Murtaza Fazal Ali at present residing at Morna,
NOIDA, Distt.- Gautam Buddha Nagar, U.P.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Amitabh Sohan, Advocate
Ms. Pallavi Singh, Advocate

For the Respondent/s : Ms. Shail Kumari, SC-15

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

This writ petition has been filed by the petitioner for
setting aside the order dated 31.03.2012 passed by the Collector,
Patna in exercise of powers conferred under Section 28(1) and (2) of
the Wakf Act, 1995.

In view of the availability of an equally efficacious



statutory remedy to the petitioner under sub-section (2) of Section 83 of the Wakf Act, 1995 as also in view of the several disputed questions of fact raised by the petitioner, I am not inclined to entertain the present application in extraordinary writ jurisdiction.

Accordingly, the writ petition is disposed of with liberty to the petitioner to avail of the statutory remedy of appeal.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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

