

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.188 of 2017

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Md. Aslam Khan, Son of Md. Rahim Khan Resident of Mohalla-Agam Kuan P.S.
Byepass, District Patna

.... Petitioner/s

Versus

1. The State of Bihar, through its Chief Secretary, Government of Bihar, Patna
2. Bihar State Shia Wakf Board 2nd Floor, Haj Bhawan 34, Ali Imam Path Harding Road, Patna
3. The District Magistrate, Patna
4. The Sub-Divisional Officer, Patna City, Patna
5. Md. Munnir @ Md. Munir Hasan Son of Late Shahzadu Hussain resident of Col Kalbe Ali Khan Wakf Estate, Pather ki Masjid, Chaudhary Tola More Police Station, Sultanganj, District Patna

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 05-05-2017

Inter alia contending that there are encroachments in Waqf property as detailed in the writ petition situated at Sultanganj, District- Patna and further contending that the Bihar State Shia Wakf Board (Respondent No. 2) and the District Magistrate, Patna are not taking any action for removal of the encroachment, this petition has been filed in public interest.

2. Keeping in view the aforesaid grievance of the petitioner, for the present, without entering into the controversy or merit, this petition is disposed of with direction to the petitioner to file



detailed complaint along with certified copy of this order before Respondent Nos. 2 and 3 and the Respondent Nos. 2 and 3 shall proceed to take action in the matter of encroachment after hearing all concerned and after following the due process of law and remove the encroachment, if found to be existing, after conducting a proper inquiry into the matter. The action as directed hereinabove be undertaken by Respondent Nos. 2 and 3 within a period of six months. Needless to emphasize here that we have not expressed any opinion on the merits of the allegation made and it is exclusively for the authorities concerned to cause an inquiry and take action in accordance with law.

3. With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	10.05.2017
Transmission Date	

