

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4829 of 2015

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Bibi Afrida Khatoon Wife of Md. Nayeem, resident of Village-Mansoorpur
Chamarwa, P.O.- Pakari Pakohi P.S.- Karja Munsif, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Department of Revenue Govt. of Bihar, Patna.
3. The District Magistrate Muzaffarpur, District- Muzaffarpur.
4. The Sub-Divisional Magistrate West-Muzaffarpur, District- Muzaffarpur.
5. The Bihar State Sunni Wakf Board through its Chief Executive Officer, 2nd Floor Haj Bhawan, 34 Ali Imam Path (Hardind Road), Patna.
6. The Chairman Bihar State Sunni Wakf Board, 2nd Floor Haj Bhawan, 34 Ali Imam Path (Hardind Road), Patna.
7. The Chief Executive Officer the Bihar State Sunni Wakf Board, 2nd Floor Haj Bhawan, 34 Ali Imam Path (Hardind Road), Patna.
8. Shabbir Ahmad Son of Late Md. Shafi, resident of Village- Bathnadeeh P.O.- Pakari Pakohi P.S.- Karja, District- Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anis Akhtar, Advocate
For the Respondent No. 8	:	Mr. Shabbir Ahmad, Advocate
For the State	:	Mr. Mukul Prasad, A.C. to G.P. 18

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 02-08-2017

Heard learned counsel for the petitioner, State and the
Bihar State Sunni Waqf Board.

2. The petitioner has moved the Court for the
following reliefs:

*“(A) For issuance of an appropriate writ order or direction setting aside the order dated 28.10.2014 **(Annexure-6)** passed in Title Suit No. 31 of 2009 by Sri Md. Jafar Imam Mallick, Presiding Officer, The Bihar State Waqf Tribunal, Patna whereby petition dated 02.09.2014 filed by the present petitioner for modification of order dated 27.10.2009 passed in the present suit whereby parties to the suit were directed to*



maintain the status quo till the disposal of the suit and permit the defendant No. 3/ petitioner herein to make necessary construction of residential house for the purpose of marriage of daughters has been rejected by holding that land purchased by the defendant No-3/petitioner herein and others is waqf property and all those sales of the waqf property are illegal and virtually summarily decided the suit in favour of plaintiffs/respondents herein in the course of trial where only plaintiffs witnesses have been examined.

(B) For issuance of an appropriate writ order or direction to the respondents to re-consider the petition dated 02-09-2014 filed by the present petitioner for modification of order dated 27-10-2009 passed in the present suit and grant permission to the defendant No-3/petitioner herein for making necessary construction of pucca roof of residential house for the purpose of marriage of daughters of defendant No-3/petitioner herein.

(C) For issuance of appropriate writ order or direction granting any relief or reliefs to which the petitioner is entitled in the facts and circumstances of the case in the opinion of this Hon'ble High Court."

3. After some arguments, learned counsel for the petitioner seeks permission to withdraw the writ petition.
4. In view thereof, the writ petition stands disposed off as withdrawn.

(Ahsanuddin Amanullah, J.)

P. Kumar

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