

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11097 of 2015

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Mahtab Alam son of Late Maqbool Ahmed, resident of Mohalla- New Colny, Durgabadi, Police Station- Civil lines, District- Gaya.

.... Petitioner/s

Versus

1. The Chairman, Bihar State Sunni Wakf Board, Second Floor, Haj Bhawan, 34 Ali Imam Path Harding Road, Patna- 800001.
2. The Chief Executive Officer, Bihar State Sunni Wakf Board, Second Floor, Haj Bhawan, 34 Ali Imam Path Harding Road, Patna- 800001.
3. Md. Yusuf, President, Managing Committee, Hazrat Peer Mansoor Dargah & Masjid and Anjann Saheed Mazar, Gaya.
4. Asrar Ahmad, Secretary, Managing Committee, Hazrat Peer Mansoor Dargah & Masjid and Anjann Saheed Mazar, Gaya.
5. The Secretary, District Wakf Board, Murarpur Chand Kothi, P.S- Kotwali, District- Gaya.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate.
For the Respondent/s : Mr. Rashid Izhar, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 17-04-2017 Grievance of the petitioner is that certain encroachment on Hazrat Peer Mansoor Dargah & Masjid and Anjaan Saheed Mazar, Gaya is not being removed and in spite of the representations and objections submitted to the respondents no. 1 and 2, they are sleeping over the matter, *inter alia*, contending that on the property belonging to the Wakf, illegal encroachment is being permitted and the concerned State authorities, namely, respondents no. 1 and 2 are not taking any action in the matter.

In view of the aforesaid limited grievance placed by



the petitioner and that the respondents no. 1 and 2 are competent enough to take actions with regard to the grievance of the petitioner, without entering into the controversy on merit and without expressing any opinion with regard to the encroachment made, it is directed that on petitioner's filing a certified copy of this order along with the original documents in the office of the respondents no. 1 and 2, they shall look into the grievance, conduct proceedings in accordance with law and in case illegal encroachment is found, they shall take appropriate steps for removal of the encroachment, preferably within six months from the date of filing of the certified copy of this order. Needless to emphasize that before removing the encroachment, all process in accordance with law shall be complied with.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Dilip, AR

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