

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12181 of 2010

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S. Qumre Alam Quadri S/O Late Maulvi Syed Badre Alam Secretary Masjid
Meergyas Chak, Darbhanga, R/O Moh Chak Rahmat, P.O. Lalbagh, P.S.
Laheriasarai, Distt-Darbhangha

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner, Darbhanga Division, Darbhanga
3. The Collector-cum-Superintendent of Survey, Darbhanga
4. The Charge Officer Survey, Darbhanga
5. Bihar State Sunni Wakf Board, through Chief Executive Officer, Haj Bhawan,
Ali Imam Path, Patna
6. Md. Raziullah Khan
7. Md. Kalimullah Khan
8. Md. Sanaullah Khan

Nos. 6-8 are sons of Late Nurul Hoda Khan R/O Moh Murgia Chak,
P.S.Laheriasarai, Distt-Darbhangha

.... Respondents

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Appearance :

For the Petitioner/s	:	Mr. Abbas Haider, Advocate
For the State	:	Mr. Shiv Shankar Prasad, Advocate
For respondent no. 5	:	Mr. Helal Ahmad, Advocate Mr. Vikash Kumar Shukla, Advocate
For respondent no. 7	:	Mr. Vishwanath Prasad Sinha, Sr. Advocate Mr. Yugal Kishore, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 16-02-2018

In the present writ petition, the petitioner has prayed
for quashing the order dated 10.09.2007 passed by the Divisional



Commissioner, Darbhanga in Case No. R-12 of 2005-06. He has further prayed for issuance of a direction to the respondents not to interfere in the earlier order dated 06.01.2002 passed by the Survey Superintendent, Darbhanga.

At the outset, Mr. Vishwanath Prasad Sinha, learned Senior Advocate appearing for respondent no. 6 submitted that the aforesaid order dated 10.09.2007 passed by the Divisional Commissioner, Darbhanga was challenged by three persons, namely, Nehal Ahmad Khan, Md. Ghulam Abbas and Syeda Nasreen before this Court in CWJC No. 5224 of 2010. However, a bench of this Court, vide order dated 30.10.2013, dismissed the said writ petition. The order dated 30.10.2013 passed in CWJC No. 5224 of 2010 was challenged before Division Bench in Letters Patent Appeal No. 10 of 2014 and the Division Bench, vide order dated 05.05.2015, not only set aside the order dated 30.10.2013 passed in CWJC No. 5224 of 2010 and allowed the letters patent appeal setting aside the order dated 10.09.2007 passed by the Divisional Commissioner, Darbhanga in Case No. R-12 of 2005-06 but also set aside the order dated 06.01.2002 passed by the Collector, Darbhanga and remanded the matter back to the Collector for fresh consideration. He has also produced copies of the orders dated 30.10.2013 and 05.05.2015 passed in CWJC No.



5224 of 2010 and Letters Patent Appeal No. 10 of 2014 respectively.

Learned counsel appearing for the petitioner admits that in view of subsequent developments, which took place during the pendency of the writ petition, this petition has become infructuous.

Accordingly, the writ petition is dismissed as infructuous.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
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