

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1341 of 2017

In

Civil Writ Jurisdiction Case No. 24192 of 2013

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Ashok Das S/O Sri Jugeshwar Das Resident Of Village- Maninda, Police
Station- Sheikhpura And District- Sheikhpura.

.... Appellant/s

Versus

1. The State Of Bihar through the District Magistrate, Sheikhpura.
2. The Sub Divisional Officer, Sheikhpura.
3. The Presiding Officer, the Bihar Waqf Tribunal, Old Secretariat, Patna.
4. The Bihar State Sunni Waqf Board, 34 Haj Bhawan, Harding Road, Ali
Imam Path, Patna through Its Chief Executive Officer.
5. The Chief Executive Officer, The Bihar State Sunni Waqf Board, 34
Haj Bhawan, Harding Road, Patna.
6. Ifranul Haque S/O Late Nijiamul Haque Resident Of Village And P.O-
Maninda, Police Station- Sheikhpura, District- Sheikhpura, At Present
Mutawalli, Sunni Waqf Board, Patna.
7. Syed Khalilur Rahman S/O Syed Azizur Rahman Resident Of Village+
P.O- Maninda, Police Station- Sheikhpura, District- Sheikhpura At
Present Mutawalli Of Bibi Rayeesun Nissa Wafq Estate No. 956

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kr. Sinha, Adv.

For the Respondent/s : Mr. Kaushal Kumar Jha –AAG-8

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

5 21-06-2018

Heard counsel for the appellant and counsel for the

Wakf Board.

The facts not being open and shut with regard to the



status of the property in question, the learned Single Judge has rightly held that writ application is not required to adjudicate the issue about the status and nature of the property in question under a summary jurisdiction.

The matter has travelled to the Wakf Tribunal. The parties are free to contest the matter and get declaration whether the property or the land in question is a Gairmazarua Aam or Wakf property.

Appeal is dismissed with liberty as above.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Devendra/Arjun

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