

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8030 of 2018

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Md. Shoaibul Hassan Son of Md. Fakhrul Hassan, resident of Mohalla-
Pachhimi Darbaja, Tarni Prasad Lane, Near Dr. J.P. Gupta, Police Station-
Khajekalan, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Minority, Government of Bihar, New Secretariat, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Sub Divisional Officer, Patna City.
6. The Sub Divisional Police Officer, Patna City.
7. The Secretary, Bihar State Shia Waqf Board, Auedeen House, Frazer Road, Patna 1, now 2nd Floor, Haj
8. The Executive Officer, Bihar State Shia Waqf Board, 2nd Floor, Haj Bhawan, 34 Ali Imam Path, Hardin
9. Munna Ismile, Son of Late Latif Hassan
10. Sannu Ismile, Son of Late Latif Hassan
11. Juri Ismile, Son of Late Hussain Ismile
12. Farha Ismile, Son of Late Hussain Ismile
13. Raja Ismile, Son of Late Hussain Ismile
14. Shri Ramesh Prasad, Son of Not known to the petitioner, All residents of Mohalla- Nawab Bahadur Road, Ismile Manjhi, P.S. Khajekalan, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.
For the Respondent/s : Mr.Durgesh Nandan- AAG 14

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 5.4.2018 is listed for hearing for
the first time today before the Court.



Heard learned counsel for the petitioner and learned counsel for the respondents.

Petitioner has prayed for the following relief/s:

“For issuance of an appropriate Writ, Order or direction commanding the Respondents to remove the encroachment from the ‘Imambara’ and thereby restraining the encroachers from making Commercial market.

For further direction to the respondents not to allow the construction of Commercial Market in the inside and outside the ‘Imambara’.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes



recourse to such remedies, as are otherwise available in law,
before the appropriate forum, the same shall be dealt with, in
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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