

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21304 of 2018

Abdul Sattar Wahedi, S/o Late Abdul Ghafoor Quadari, Resident of Mohalla - Noon Ka Chowraha, P.S.- Khajekalan, At/P.O.- Patna City, Distt.-Patna.

... .. Petitioner

Versus

1. The State Of Bihar
2. The I.G. Registration Department of Registration, Old Secretariat, Patna.
3. The Commissioner, Patna Division, Near Gandhi Maidan, Patna.
4. Dr. Ahmad Abdul, S/o Late A. Hai, Resident of Abdul Hai Complex, Exhibition Road, P. S. Gandhi Maidan, Distt.-Patna.
5. Dr. M.A. Mozaffar, S/o Asfar Alam, Ex-University Professor, R/o 69b, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, Patna.
6. Sy. Aftabuddin, S/o Sy. Nezamuddin, Ex.- G.M., Union Bank of India, Resident of 313, Patliputra Colony, P.S. Patliputra, Patna.
7. Mrs. Amina Ejaz Hai @ Amina Ejaz Jamil, W/o Dr. Mohamid Abdul Hai, R/o Abdul Hai Complex, Exhibition Road, P.S. Gandhi Maidan, Patna.
8. The Secretary, Yateem Khana, Anjuman Khadimul Islam, Educational Society, Kashmiri Kothi, P.S. Khajekala, Patna City, District Patna.

... .. Respondents

Appearance :

For the Petitioner : Mr. Ajay Kumar, Adv.
For the Respondents : Mr. P.N. Shahi, AAG-6

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 31.10.2018 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 reliefs:

“(i) For issuance of a writ of or in the nature of writ



of mandamus, directing the Commissioner, Patna to enquire the matter in respect to misuse of the fund/account as well as immovable properties of Yateem Khana Anjuman Khadimul Islam properties of the Yateem Khana (Movable and immovable). They have purchased their own properties after selling the immovable properties of Yateem Khana.

(ii) For issuance of writ of or in the nature of writ of mandamus directing the learned commissioner to take steps in this matter and high level enquiry be made, so that real facts will be came out.”

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)

Rajeev Kumar/-

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