

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5547 of 2021

Syed Alamdar Hussain @ Alamdar Hussain S/o Syed Adil Hussain resident of Mohalla Bari karbala, P.O. - Head Post Office, Muzaffarpur, P.S. - Town Muzaffarpur, District- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar.
2. The Additional Chief Secretary, Department of Minority Welfare, Govt. of Bihar, Patna.
3. The Additional Chief Secretary of General Administration, Patna.
4. The Revenue Secretary, Govt. of Bihar, Patna.
5. The Bihar State Shia Wakf Board through its Chairman, Haj Bhavan, Patna.
6. The Chairman, Bihar State Shia Wakf Board, Haj Bhawan, Patna.
7. The Chief Executive Officer, Bihar State Shia Wakf Board, Patna.
8. The Administrative Officer, Bihar State Shia Wakf Board, Patna.
9. Mirza Mehndi Abbas son of Mirza Ali Abbas resident of New Bazar, P.S. - Town, Muzaffarpur, Muzaffarpur, at present Manager of Khojadi Begum, Wakf Estate Registration No. 80 (a), Badi Karbala, Mazaffarpur.
10. Shikandar Khan @ Dablu resident of Mohalla Bari Karbala, P.O. - Head Post Office, Muzaffarpur, P.S. - town Muzaffarpur, District- Muzaffarpur.
11. Sri Imran Khan S/o Slauddin Khan Resident of Koluha Paigambarpur, Near Shia Masjid, P.S.- Ahiyapur, Muzaffarpur, Bihar at present Manager, Khojadi Begum Wakf Estate Registration No. 80(a).

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Y.V.Giri, Senior Advocate Mr. Sumit Kumar Jha
For the Respondent State:		Mr. S.S.P.Yadav (Sc14)
For the Waqf Board	:	Mr. Anjum Akhtar Ms. Sahnaz Fatma
For Respondent No.9 :		Mr. Firoz Raza

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 27-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.



Mr. Y.V.Giri, learned Senior Counsel appearing on behalf of the petitioner admits that the petitioner has alternative statutory remedy before the Bihar Waqf Tribunal, which is now functional.

In such view of the matter, he seeks permission to withdraw this application to ventilate the petitioner's grievance before the Tribunal. He has further submitted that this Court, by an order dated 09.09.2021 had granted interim protection, which may be allowed to continue for some time till the petitioner approaches the Tribunal.

We are not inclined to accept the submission to grant protection during the interregnum period from today and till the date petitioner approaches the Tribunal. The petitioner shall be at liberty to seek any interim protection before the Tribunal as may be required.

It will be open for the petitioner to seek condonation of delay, if any such question arises. It goes without saying that the Tribunal shall consider any application seeking condonation of delay keeping in view also the fact that the petitioner was pursuing his remedy before this Court by filing the present writ application.

This application stands disposed of as withdrawn with



the liberty sought for.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Pawan/-

U			
---	--	--	--

