

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10326 of 2021

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Managing Committee, Yateem Khana Anjuman Khademul Islam, Kashmiri Kothi, Patna City, Patna through its Secretary Md. Mushtaq Alam aged about 55 years (male) S/o Late Md. Saleem resident of Gulshan-e-Saleha Saleem, Khawaja Gareeb Nawaz block, New Azimabad Colony, Sampatchak, P.S. Alamganj, District- Patna, Bihar- 800006.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Co-operative, Bihar, Patna.
2. The Principal Secretary Department of Minority Welfare, Bihar, Patna.
3. The Bihar State Sunni Wakf Board through its Chairman, 34 Haj Bhawan, 2nd Floor, Harding Road, Patna.
4. The Chief Executive Officer, Bihar State Sunni Wakf Board, 34 Haj Bhawan, 2nd Floor, Harding Road, Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Md. Harun Quareshi, Adv.
For the Respondents : Mr. Naushad Akhtar, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 22-03-2022 The petitioner claims to be a society registered under the Societies Registration Act, 1860 (*for brevity 'the Act'*). It has preferred this application seeking quashing of notice dated 05-04-2021, issued by the Chief Executive Officer, Bihar State Sunni Waqf Board (*for brevity 'the Board'*) under Section 40 of the Waqf Act, 1995.

2. Learned counsel for the petitioner, after some



argument, seeks permission to withdraw this application with a liberty to respond to the said notice before the Board.

3. This application is, accordingly, permitted to be withdrawn with the liberty as sought.

4. We make it clear that we have not gone into the merits of the issues raised in the present writ application. The petitioner shall be at liberty to raise all such issues before the Board as are being raised in the present proceedings.

5. This application stands disposed of.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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