

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1100 of 2021

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Bibi Naziran Waqf Estate No. 524 situated at Chauki Hassan, P.S.- G.B. Nagar, District- Siwan through its Mutawalli, namely Jamal Ahmed, aged about 48 years, Son of Late Ajaz Ahmad, resident of Village- Chauki Hassan, P.S.- G.B. Nagar, District- Siwan. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary-Cum- Additional Chief Secretary, Department of Minority Welfare, Government of Bihar, Patna.
3. The Special Secretary-Cum- Director, Department of Minority Welfare, Bihar, Patna.
4. The Principal Secretary, Department of Fisheries, Government of Bihar, Patna.
5. The Director, Department of Fisheries, Government of Bihar, Patna.
6. The District Magistrate, Siwan, District- Siwan.
7. The District Fisheries Officer-Cum- Chief Executive Officer, Siwan, District- Siwan.
8. The Circle Officer, Barharia, District- Siwan.
9. The Chief Executive Officer, Bihar State Sunni Waqf Board, Government of Bihar, Patna.
10. Manoj Kumar, Mantri, Prakhand Matasyajivi Sahyog Samittee Ltd., at village- Chauki Hassan, Post Office- Chauki Hassan, P.S.- G.B. Nagar, Block- Barharia, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Fakhruddin Ali Ahmad
For the State	:	Mr. Santosh Chandra Bhaskar
For Respondent no. 9	:	Md. Helal Ahmad

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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)

10 04-02-2022

This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.



This writ application has been filed seeking *inter alia* a direction to the respondent authorities to comply with an order dated 29.10.2018 passed in Miscellaneous Case No. 05/2017 by the Bihar State Waqf Tribunal in a case filed under Section 104(B) of the Waqf Act, 1995.

According to the petitioner, an order dated 14.06.2019, passed by the District Fisheries Officer-cum-Chief Executive Officer, Siwan whereby Waqf Estate has been settled in favour of private respondent no. 10, is in conflict with the said order dated 29.10.2018.

Learned counsel representing the State of Bihar has informed that the said order dated 29.10.2018 passed by the Bihar State Waqf Tribunal is under challenge before this Court by way of revision which has been registered as Civil Revision No. 49 of 2021.

In such view of the matter, the relief sought by the petitioner in the present writ application under Article 226 of the Constitution of India cannot be entertained. This application is, however, disposed with a liberty to the petitioner to appear in the said Civil Revision Case.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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