

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17054 of 2019

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Nuzhat Sultana Wife of Safirul Hasan Resident of Village- Mahrauli
(Sayeedabad) P.S.- Aurai, District- Muzaffarpur, At present resident at
Rambagh Chauri, Khudabux Colony no. 4 near Mehar Masjid, P.S.-
Mithanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Minority welfare
Department, Govt. of Bihar, Patna.
2. The Bihar State Sunni Wakf Board 34 Ali Imam Path (Harding Road) Haj
Bhawan, Patna, through its Chief Executive Officer.
3. The Chairman Bihar State Sunni Wakf Board, 34 Ali Imam Path (Harding
Road) Haj Bhawan, Patna,
4. The Chief Executive Officer Bihar State Sunni Wakf Board, 34 Ali Imam
Path (Harding Road) Haj Bhawan, Patna,
5. Md. Nizam Son of not known the Secretary of the Khuda Baksh Wakt estate
no 1190 P.S.- Mithanpura, District- Muzaffarpur.
6. Md. Salahuddin Son of not known the President of the Khudabaksh wakf
estate no 1190 P.S.- Mithanpura, District- Patna.
7. The Managing Committee of Khuda Baksh wakf estate Rambagh
Muzaffarpur Wakf estate no 1190 through its Secretary.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Anisur Rahman
For the Respondent/s	:	Mr. Sita Ram Yadav, GP-16
		Mr. Jitendra Kumar, AC to GP-16
		Mr. Yatindra Narayan, AC to GP-16
For the Respondent No.2 to 4	:	Mr. Md. Helal Ahmad, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-06-2023 Heard learned counsel for the petitioner and the State
also the Bihar State Sunni Waqf Board.



The petitioner has challenged the order dated 18.02.2019 passed by the respondent no.4 (the Waqf Board) by which her possession has been declared unauthorized with an observation that she along with others defaulters are liable to be evicted. The said order has been passed on the ground that rent was not being paid by the petitioner.

Learned counsel for the petitioner fairly submits that she intends to clear the dues and will continue making update payment to the respondent no.7, the Managing Committee of Khuda Baksh Waqf Estate, Rambagh, Muzaffarpur.

At this stage, learned counsel for the Waqf Board submits that for the execution of the said order, the matter was sent to the Tribunal where it has been numbered as EA No.7/2019 which according to him is still pending.

Learned counsel for the petitioner submits that after clearing the dues, she will be appearing before the said Tribunal to defend her case.

Taking into account the said submission put forward by the learned counsel for the petitioner, the writ petition stands disposed of granting liberty to petitioner to appear before the Tribunal.

Till an order is passed by the Tribunal, the status quo



as existing today shall be maintained.

(Rajiv Roy, J)

Prakash Narayan /-

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