

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5278 of 2024

Mansoor Alam Son of late Munish Miyan, Resident of Village- Kesru P.S.-
Chandauti, District- Gaya, State- Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar at Patna.
2. Principle Secretary Government of Revenue and Land Reforms, Government of Bihar, Patna.
3. Director Magistrate- cum- Collector, Gaya, District-Gaya
4. Sub-Divisional Officer, Sadar Gaya, District-Gaya
5. District Minority Welfare Officer, Gaya, District- Gaya
6. Circle Officer, P.S.-Town, District-Gaya
7. Bihar State Sunni Waqf Board through the Chief Executive Officer, 2nd floor, Haj Bhawan 34 Ali Imam Path, Harding Road Patna.
8. Chief Executive Officer, Bihar State Sunni Waqf Board, 2nd floor, Haj Bhawan 34 Ali Imam Path, Harding Road, Patna.
9. Mohammad Sarfuddin, S/o Mohammad Abdul Sadaq, R/o- Village Kesru, P.S.- Chandauti, Dist- Gaya.
10. Mohammad Torab, S/o Mohammad Sarfuddin R/o- Village Kesru, P.S.- Chandauti, Dist- Gaya.
11. Mohammad Zubair, S/o Mohammad Sarfuddin R/o- Village Kesru, P.S.- Chandauti, Dist- Gaya.
12. Raghu Yadav, S/o Triloki Yadav R/o- Village Kesru, tola Dhani Bigha, P.S.- Chandauti, Dist- Gaya.
13. Raju Yadav, S/o Vasant Yadav R/o- Village- Sona Bigha, P.S. Chandauti, Dist.- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Alka Singh, Advocate
	:	Mr. Sumeet Kumar Singh, Advocate
	:	Mr. Shivam Singh, Advocate
	:	Mr. Kumar Vikram, Advocate
For the State	:	Mr. Jitendra Kumar, AC to Ex-AAG-11
For the Sunni Waqf Board	:	Md. Helal Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2024

Heard the parties.

2. The present petition has been filed for the grant of



following relief:-

I. That the present date application is being filed in Mandamus for a direction to the Chief Executive Officer, Bihar State Sunni Waqf Board, Respondent no.7 to take necessary action and decide the matter for removal of the encroachment in Waqf State in relation to Waqf Property belonging to Kisru, Masjid and Madarsa Waqf State No. 1234, Gaya existing in the name of Sheikh Wazir Ali Waqf State of the property situated in Thana No. 155, Khata No. 521(New) Khata No.185(Old), Plot No. (New) 3574,, 2129, 2014, 2117, 2118, 2123, 2939, 3105, 3798, Area- 6 decimal, 60 D, 1.24 D, 1.29 D, 22 D, 63 D, 5 D, 69 D, 9 Decimal, Area-2 acre 36.53 decimals; on the ground that that the matter is pending since last 3 years, there is no finding, only dates are given; there is no final order being passed by the respondent no.7;

II. For any other relief/reliefs for which the petitioner is entitled for.

3. Learned counsel for the petitioner submits that against the encroachment made by the respondent third set, a proper petition was preferred in the year 2019 before the respondent no.7 but despite the passage of five years, they have not concluded the matter.

4. The documents are on record, Md. Helal Ahmad is



representing the Bihar State Sunni Waqf Board, this or that way a decision has to be taken but any petition for whatsoever reason comes before the board or any other office, the same need disposal. This is a classic case where even after five years, a decision has not been taken.

5. Learned counsel on behalf of the Waqf Board submits that appropriate steps will be taken and after noticing them, the matter will be disposed of.

6. The writ petition stands disposed of on the undertaking given by Md. Helal Ahmad and the Waqf Board is duty bound to pass an appropriate order within a period of eight weeks from today.

(Rajiv Roy, J)

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