

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6374 of 2022

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Md. Shahid son of Md. Shami, resident of Mohalla- Nawadih, Near Masjid,
Police Station- Aurangabad (Town), District- Aurangabad. Petitioner/s
Versus

1. The State of Bihar through The Principal Secretary, Minority Welfare Department, Government of Bihar, Patna.
2. The Chairman, Bihar State Sunni Waqf Board, 34, Ali Imam Path (Harding Road), Haj Bhawan, Patna.
3. The Chief Executive Officer, Bihar State Sunni Waqf Board, 34, Ali Imam Path (Harding Road), Haj Bhawan, Patna.
4. District Magistrate, Aurangabad, Bihar.
5. Sub- Divisional Officer, Aurangabad, Bihar.
6. The Chief Executive Officer, Nagar Parishad, Aurangabad.
7. The District Minority Welfare Officer, Aurangabad.
8. Arif Hussain Ishrat son of Late Ashique Hussain, Resident of Mohalla- Pathan Toli, P.S. and District- Aurangabad.
9. Abdus Sattar Azad son of Late Jan Mohammad, Ajwer Nagar, P.S. Aurangabad (T), District- Aurangabad.
10. Master Mozaffar Khan son of Late Nezamuddin Khan, Resident of Mohalla- Pathan Toli, P.S.- Aurangabad (T), District- Aurangabad.
11. Ejaz Warsi son of Late Haji Nezamuddin Warsi, Resident of Mohalla- Pathan Toli, P.S.- Aurangabad (T), District- Aurangabad.
12. Haji Jasimuddin Quraishi son of Late Md. Karim Quarishi, resident of Quraishi Mohalla, P.S. Aurangabad (T), District- Aurangabad.
13. Md. Jamil Ahmad son of Late Md. Shafique, Resident of Mohalla- Jhanda Masjid, P.S.- Aurangabad (T), District- Aurangabad.
14. Md. Alam Ansari son of Isa Ansari Resident of Tekari, Mohalla, P.S.- Aurangabad (T), District- Aurangabad.
15. Syed Athar Imam son of Mazhar Imam, Resident of Mohalla- All Nagar, P.S.- Aurangabad (T), District- Aurangabad.
16. Tarique Aziz son of Late Idris, Resident of Mohalla- Biratpur, P.S.- Aurangabad (T), District- Aurangabad.
17. Seraj Khalifa son of Bismil Khalifa, Resident of Mohalla- Shahganj, P.S.- Aurangabad (T), District- Aurangabad.
18. Khizir Heyat Khan son of Late Abu Nesar Khan, Resident of Mohalla- Islam Toli, P.S.- Aurangabad (T), District- Aurangabad. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ram Pravesh Nath Tiwari, Advocate Md.Abid Khurshid, Advocate
For Sunni Waqf Board	:	Md.Helal Ahmad, Advocate
For the Respondent/s	:	Mr.D.Kumar, AC to GP 11

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER



4 02-02-2024 Heard Mr. Ram Pravesh Nath Tiwari along with Mr.Abid Khurshid, learned counsels appearing on behalf of the petitioner; Md. Helal Ahmad, learned counsel for Sunni Waqf Board and Mr. D.Kumar, learned AC to GP 11 for the State.

2. Considering the fact that the notice bearing memo no.107 dated 20.01.2024 has already been issued by Nagar Parishad, Aurangabad and it has been brought on record by respondent no.6 that already action has been taken by Nagar Parishad, Aurangabad against the alleged illegal construction of Anjuman Islamia Jama Masji, Waqf No.1348, Aurangabad.

3. In view of the specific statement made in paragraph no.3 of the counter affidavit filed on behalf of respondent no.6, this Court is not inclined to pass any mandamus for the relief(s), as prayed for in the preset writ petition.

4. Mr. Surendra Pratap Singh, learned counsel appearing on behalf of Nagar Parishad, submits that the Nagar Parishad is bound to comply with the order. There is no question that it will not take any action expeditiously.

(Purnendu Singh, J)

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