

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10619 of 2023

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Shankar Prasad Son of Late Bhagwan Lal Resident of Mohalla- Sahebganj,
P.S.- Town Thana, Chapra, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. District Magistrate, Saran at Chapra.
3. Sub Divisional Magistrate, Saran at Chapra.
4. Circle Officer, Chapra Sadar.
5. Chief Executive Officer, Bihar State Sunni Waqf Board, Ali Imam Path,
Harding Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar, Advocate
For the State	:	Mr.Raj Kishore Roy (Gp 18)
For respondent no.5	:	Mr. Md. Helal Ahmad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 22-01-2024

Heard Mr. Ashok Kumar, learned counsel appearing on
behalf of the petitioner; Mr. Raj Kishore Roy, learned GP 18 for
the State and Mr. Md. Helal Ahmad, learned counsel for
respondent no.5.

2. Learned counsel appearing on behalf of the petitioner
submits that petitioner is aggrieved by the action of the Circle
Officer, Chapra Sadar, who, for reason best known to him, one
after another, has been issuing notice to him in spite of the fact
that petitioner is the rightful owner of Holding No.35 and he is
making payment of holding tax, which has been fixed by the
municipal authorities.



3. Considering the aforesaid submission made on behalf of the petitioner, the District Magistrate, Saran at Chapra is directed to call for the records relating to the new Holding No.35 and see that whether the same was the subject matter of the previous litigation fought between the Wakf Board, as well as, the private person and take a final decision in accordance with law within a period of six weeks after providing due opportunity of hearing to all the affected parties. The District Magistrate must ensure to place his order on the basis of the old revenue records, relating to *cadestral* survey, as well as, the notification of the State Government, giving reference of old plots taken into the municipal area including the plot of new holding No.35 of the petitioner, on which the petitioner has claimed his right.

4. With aforesaid observation and direction, the writ petition is disposed of.

(Purnendu Singh, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.01.2024
Transmission Date	NA

