

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13370 of 2024

Shakir Hussain son of Nasir Hussain, resident of Sarkari Bazar Karim Chak, Police Station-Chapra Town, District-Saran at Chapra presently Mutwalli of Waqf Estate Sheikh Abdul Razzaque, Waqf Estate No. 373 situated at Sarkari Bazar, Chapra, Police Station-Chapra Town, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Saran at Chapra.
2. The Sub-Divisional Magistrate, Chapra, District-Saran.
3. The Bihar State Sunni Waqf Board through its Chairman Haj Bhawan, 34-Ali Imam Path, Patna.
4. The Chairman, Bihar State Sunni Waqf Board, Haj Bhawan, 34-Ali Imam Path, Patna.
5. The Chief Executive Officer, Bihar State Sunni Waqf Board, Haj Bhawan, 34-Ali Imam Path, Patna.
6. Om Prakash son of Late Bishwanath Prasad, resident of Mohalla-Pahalgola, Chapra, P.O. Sahebganj, Police Station-Chapra, District-Saran.
7. Gyan Prakash, son of Late Bishwanath Prasad, resident of Mohalla-Pahalgola, Chapra, P.O. Sahebganj, Police Station-Chapra, District-Saran.
8. Jai Prakash, son of Late Bishwanath Prasad, resident of Mohalla-Pahalgola, Chapra, P.O. Sahebganj, Police Station-Chapra, District-Saran.
9. Ved Prakash, son of Late Jagannath Prasad, resident of Mohalla-Pahalgola, Chapra, P.O. Sahebganj, Police Station-Chapra, District-Saran.
10. Amarnath @ Banti son of Late Jagannath Prasad, resident of Mohalla-Pahalgola, Chapra, P.O. Sahebganj, Police Station-Chapra, District-Saran.
11. Smt. Savitri Devi, Daughter of Late Jagannath Prasad, resident of Mohalla-Pahalgola, Chapra, P.O. Sahebganj, Police Station-Chapra, District-Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Satyapal Singh, Adv. Mr. Jitendra Prasad Singh, Adv.
For the Respondent/s	:	Mr. K.P. Gupta, G.P. 10 Mr. Satya Vrat AC to GP-10
For Res. Nos.	:	Mr. Helal Ahmad, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-09-2024 Heard Mr. Satyapal Singh, learned counsel for the

petitioner, Mr. Helal Ahmad, learned counsel appearing on



behalf of the respondent nos. 3 to 5 as also Mr. Satya Vrat,
learned AC to GP-10.

2. The present writ petition has been preferred for the
following relief(s):

“A. For issuance of an appropriate writ or writs direction to the Respondent Ist Set to remove the encroachment from the Waqf property bearing Waqf Estate No.373 situated at Sarkari Bazar, Chapra in exercise of power under section 54 of the Waqf Act, 1995 which has been illegally encroached by the Respondent 2nd Set;

B. for direction to the Respondents to take appropriate steps against the encroachers immediately on the basis of information furnished by the petitioner for which he has legal obligation Under Section 50 of the Waqf Act, 1995 as petitioner is invoking the jurisdiction of this Hon'ble Court pursuant to the liberty granted by the Division Bench in Civil Review No.217 of 2019;

C. for grant of any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case.”



3. From the averrment that has been made in the writ petition, it would be appropriate that the petitioner seek alternate remedy.

4. In that background, learned counsel for the petitioner prays that he may be granted liberty to approach the appropriate forum for the redressal of the grievance.

5. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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