

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13336 of 2024

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Zulfequar Haider Son of Late S. Naqui Haider Resident of 1/91, Shia Masjid Rang Bahadur Road, Gaya, P.O.- Head Post Office, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Minority Welfare Department, Government of Bihar, Patna.
4. The Secretary, Minority Welfare Department, Government of Bihar, Patna.
5. The Director, Minority Welfare Department, Government of Bihar, Patna.
6. The Joint Secretary, Minority Welfare Department, Government of Bihar, Patna.
7. The District Magistrate-cum-Collector, Gaya.
8. The Sub Divisional Officer Sadar, Gaya.
9. The Sub Divisional Magistrate Gaya, District- Gaya.
10. The Executive Magistrate Gaya, District- Gaya.
11. The Director Minority Welfare Gaya, District- Gaya.
12. The Assistant Director Minority Welfare cum Nodal Officer (Wakf), Gaya, District- Gaya.
13. The District Minority Welfare Officer-cum-Nodal Officer (Wakf), Gaya.
14. The President, District Auqaaf Committee, Gaya.
15. The Secretary, District Auqaaf Committee, Gaya.
16. The Circle Officer, Gaya, District- Gaya.
17. The Bihar State Shia Wakf Board, Haj Bhawan 2nd Floor, 34 Ali Imam Path (Harding Road) Patna-800001, through its Chief Executive Officer.
18. The Chairman, Bihar State Shia Wakf Board, Haj Bhawan 2nd Floor, 34 Ali Imam Path (Harding Road) Patna- 800001.
19. The Chief Executive Officer, Bihar State Shia Wakf Board, Haj Bhawan 2nd Floor, 34 Ali Imam Path (Harding Road) Patna- 800001.
20. The Managing Committee Anjuman-e- Imamia Shia Masjid Estate, No-260/Gaya, District- Gaya through its Secretary.
21. The Secretary Managing Committee Anjuman-e- Imamia Shia Masjid Estate, No-260/Gaya, District- Gaya.
22. The President Managing Committee Anjuman-e- Imamia Shia Masjid Estate, No-260/Gaya, District- Gaya.
23. Jawed Hussain Son of Late Eqwal Hussain Resident of Khaja Noor Colony Near Karbala, P.S.- Kotwali, District- Gaya.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar
For the State : Mr.Government Pleader (24)
For Respondents No. 17,18,19 Md. Anjum Akhter
For Respondent No. 23 Mr. Helal Ahmad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 12-11-2024 Heard the parties.

2. Learned counsel for Shia Waqf Board submits that the Board has withdrawn the impugned order. As such, this writ petition has become infructuous. He has further submitted that the Shia Waqf Board is going to initiate a fresh proceeding under the appropriate provisions of law.

3. Learned counsel for the petitioner has submitted that it is true that this writ petition has become infructuous but vide order dated 05.09.2024, it was observed that in case, the petitioner makes payment of the rent of the shop and further keeps paying the rent regularly, the status quo will be maintained. He has further submitted that the petitioner is still ready to make payment of arrears of rent.

4. Considering the above-mentioned facts and circumstances, if the petitioner renders the arrears of rent, the *Motbali* shall accept it but the receipt of the rent by *Motbali* shall be subject to final outcome of the fresh proceeding,



initiated by the Board.

5. With the aforesaid observations, the writ petition stands disposed of, as being infructuous.

(Nawneet Kumar Pandey, J)

Nirmal/AKV

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