

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5926 of 2026

Md. Yasin Son of Late Kallu Miyan, Resident of Mohalla-Karansarai (Adda Road), P.O. and Police Station-Sasaram, District-Rohtas (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Minority Welfare Department, Govt. of Bihar, Patna.
2. The Secretary, Minority Welfare Department, Government of Bihar, Patna.
3. The Collector cum District Magistrate, Rohtas.
4. The Bihar State Sunni Waqf Board through its Chief Executive Officer, Patna, Bihar.
5. Saiyad Najeeb Ahmad, Son of Late Latif Ahmad, resident of Mohalla-Karansarai (Add Road), P.O. and Police Station-Sasaram, District-Rohtas (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Pd. Singh, Sr. Advocate Mr. Abhishek, Advocate Mr. Varun Kumar Singh, Advocate Mr. Venkatesh Kaushik, Advocate
For the State	:	Mr. Anuradha Singh, SC- 21
For Resp. no.4	:	Md. Helal Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
counsel for the Bihar State Sunni Waqf Board (respondent no.4).

2. The petitioner has filed the instant application for
the following reliefs:

*“I. For setting aside the
order dated 22.10.2014 passed by the
Presiding Officer, Bihar Waqf
Tribunal, Patna in Title Eviction Suit
No.03 of 2009, filed by the*



Respondent No.5 against the petitioner, by which the petitioner has been directed to vacate the suit property, which is a residential house of the petitioner by treating the same as a Waqf property and the Respondent No.5 has been declared Mutawalli and accordingly sit was decreed.

II. For directing the Respondent State Authority to take proper steps to protect the possession of the petitioner over his residential house till the disposal of the present writ application and further operation and effect of the impugned order dated 22.10.2014 may be stayed or kept in abeyance till the adjudication of the present writ application.

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

3. At the outset, learned counsel appearing for the respondent no.4 submits that the instant writ application is not maintainable in view of the provisions contained in section 83(9) of the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995.



4. Section 83(9) of the Act is reproduced herein below
for ready reference:

“83. Constitution of Tribunals, etc.

*(9) Any person aggrieved by the
order of the Tribunal, may appeal to
the High Court within a period of
ninety days from the date of receipt of
the order of the Tribunal.”*

5. At this stage, learned counsel for the petitioner
prays for withdrawal of the instant writ application for filing an
appropriate application, in accordance with law.

6. Without entering into the merits of the case of the
petitioner, the writ application stands disposed off.

(Partha Sarthy, J)

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