



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

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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

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**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

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**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)**

sauravkrsinha/-

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