

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13175 of 2014

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Shalini Andrews, Daughter of Arik Andrews, Resident of Mohalla Musafirganj, P.S. Buxar, District- Buxar.

.... Petitioner

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, Revenue and Land Reforms Department, Government of Bihar.
4. The Principal Secretary, Minority Welfare Department Government of Bihar, Patna.
5. The Home Secretary, Government of Bihar, Patna.
6. The Director General- cum- Inspector General of Police, Bihar, Patna.
7. The Superintendent of Police, Buxar.
8. The District Magistrate, Buxar.
9. The Officer- in- Charge, Buxar Town Police Station, Buxar.
10. The Charity Commissioner, Public Trust, Greater Bombay Region Bombay, Mumbai.
11. The Methodist Church in Northern India, through its General Secretary, Methodist Church Central, Y.M.C.A. Road, Mumbai, Central, Mumbai-400 008.

.... Respondents

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Mishra, Adv.
For the Respondent/s	:	Mr. Namrata Mishra, GA.13
		Mr. Alok Ranjan, AC to GA 13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-01-2015 The petitioner claims that she professes Christianity.

This writ petition is filed with a prayer to direct the respondents herein to protect the old church and the attached properties in Buxar town. In the writ petition and the annexures, it is mentioned that the committee,

which is in charge of the administration of the church, has decided to sell the property through resolution dated 2.9.2013 and though such step is contrary to the provision of the Place of Worship Act, 1991, the State of Bihar is not taking any steps. The representations are stated to have been made in this behalf.

Heard learned counsel for the petitioner Mr. Ashok Kumar Mishra and learned counsel for the respondents Mrs. Namrata Mishra.

The petitioner may be anxious to protect the religious institutions. The fact, however, remains that the committee which is vested with the power to administer the churches and its properties has taken a decision on 2.9.2013 to sell the property. The minutes of the meeting of the committee which are placed before us disclose that it was decided to sell the property for a consideration of Rs.66,00,000/- in favour of one Shyam Narayan Singh.

If the petitioner is of the view that the sale and other transactions are contrary to any other provision of law, the only course left is to file a suit in this behalf. This Public Interest Litigation is totally unsuited for this purpose.

The writ petition is accordingly dismissed.

Interlocutory application, if any, stands disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Rajendra Kumar Mishra, J)

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