

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16881 of 2013

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Ramashankar Das, Chela of Sriman Mukti Narayan Das, residing at Radha
Govind Math Makaranda, P.O. and P.S. Manigachhi, District Darbhanga
..... Petitioner.

Versus

1. The State of Bihar
2. The District Magistrate, Darbhanga
3. The Circle Officer, Manigachhi, P.O. and P.S. Manigachhi, District
Darbhanga
4. The Officer-In-Charge, Manigachhi, P.O. and P.S. Manigachhi, District
Darbhanga
5. Bihar State Board of Religious Trust, Vidyapati Marg, Patna through its
Chairman

..... Respondents.

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Appearance :

For the Petitioner/s : Mr. Prashant Wibhaw, Advocate
For the Respondent/s : Mr. Mr. Vivek Prasad, G.P.-14
For the Board : Mr. Shekhar Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 28-07-2015

Heard learned counsel for the parties.

2. The petitioner is resident of village Makaranda,
where a Trust in the name of Radha Govind Jee Nyas is situated.

3. The petitioner alleges that in past the Mahanth of
the Trust has illegally disposed of the property of the Trust,
though there is complete ban on the sale of the properties of public
trust, save and except with the permission of the Board.

4. Mr. Shekhar Singh, learned counsel for the Board
also submits that in past the properties have been sold by the
Mahanth in violation of Section 44 of the Bihar Hindu Religious
Trusts Act, 1950. Furthermore, the Board has also written letter to

the District Magistrate against such transfer being made by Mahanth.

5. I find that Section 44 of the Act prohibits transfer of property of Public Religious Trust, save and except with permission of the Board.

6. In this view of the matter both the Religious Trust Board and the District Administration would ensure against any further sale of the property of the Trust. The encroachers on the Trust property would be severely dealt with and encroachments should be removed.

7. This application stands disposed of.

(Samarendra Pratap Singh, J.)

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