

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15543 of 2014

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1. Ranjan Kumar Sharma son of Late Basant Lal Sharma, resident of Mohalla- Sharampur-Tajpur Road, Indira Nagar, Samastipur, P.S. Samastipur, District- Samastipur

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna
2. The District Magistrate, Samastipur
3. The Superintendent of Police, Samastipur
4. The Sub-Divisional Officer, Samastipur
5. The Circle Officer, Pusa, Samastipur
6. Manoj Kumar Rai son of Late Nokhe Rai, resident of village- Gangapur, P.S. Vaini, District- Samastipur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Adv.
For the Respondent/s : Mr. Jawahar Pd. Karn, AAG-4
Mr. Siddhartha Prasad, AC to AAG-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 22-06-2015 The petitioner seeks an extraordinary relief in this petition. He wants the Hanuman temple which is existing near the State Highway passing through Gangapur village, P.S. Vaini of Samastipur district to be removed and re-located elsewhere. He contends that respondent No.6 constructed a temple by raising public fund and the same is causing hindrance to traffic. Reliance is placed upon the order of the Supreme Court dated 29.9. 2009 in S.L.P. (Civil)

No.8519/06.

The respondents have filed a counter affidavit promptly even before the writ petition was taken up for admission. It is stated that the petitioner himself donated the land for construction of the temple about 30 years ago and on account of the difference that has arisen between himself and the 6th respondent, the present writ petition is filed.

Heard learned counsel for the petitioner and learned counsel for the respondents.

On the face of it, the writ petition is not maintainable. The petitioner wants to settle his score with the 6th respondent. He has filed the present petition as if any temple is sought to be constructed and being a law abiding citizen the petitioner is objecting to it. The material made available by the respondents discloses that the petitioner himself donated his own land for constructing a temple and now he is citing the proximity of the Highway to the temple for removal thereof.

We are not inclined entertain this writ petition. Petition is dismissed.

Interlocutory application, if any, stands

disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Sudhir Singh, J)

K.C.jha/-

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