

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Writ Petition (227) No.2685/2009**

1. Vasudeo Singh Thakur, S/o Late Manrakahan Singh, aged about 64 years, General Secretary, Akhil Bharat Hindu Mahasabha, R/o Tiranga Chowk, Kushalpur, Raipur (CG)

2. Akhil Bharat Hindu Mahasabha, Chhattisgarh Branch, through the petitioner No.1

**PETITIONERS**  
(Complainants)

Vs

1. State of Chhattisgarh, through Secretary, Religious & Public Trust Development, D.K.S. Bhawan, Raipur (CG)

2. Collector/Registrar, Public Trust, Raipur, Chhattisgarh

3. Sub-Divisional Officer (Revenue) & Registrar, Public Trust, Raipur (CG)

4. Commissioner, Municipal Corporation, Raipur (CG)

5. Prakash Chandra Dixit, S/o Late Dev Das Dixit, Aged about 32 years.

6. Shashikant Dixit, S/o Late Dev Das Dixit, Aged about 29 years.

7. Memant Kumar Dixit, S/o Late Dev Das Dixit, Aged about 27 years.

Respondent No.5 to 7 are R/o Rathour Chowk, Ramsgarapara, Raipur (CG)

**RESPONDENTS**  
(Non-applicants)

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For the petitioners:

Shri J.K. Shastri, Advocate.

For the respondent No.1 to 3:

Shri Ajit Singh, Panel Lawyer.

For the respondents No.4:

Shri H.B. Agrawal, Sr. Advocate  
with Smt. Meera Jaiswal, Advocate

For the respondents No.5 to 7:

Shri Hari Agrawal, Advocate.  
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**SB: Hon'ble Shri Justice Pritinker Diwaker**

**Order on Board**

**09.07.2015**

1. The petitioners claim themselves to be devotees of temple commonly known as 'Shri Ramchandra Swami Laxman Ji Maharaj & Sitamai' which

is being managed by the trust namely 'Shri Ramchandra Swami Trust, Ramsagarpara, Raipur'. According to the petitioners, the said trust has sufficient properties and the respondents No.5 to 7 are trying to grab the same and even they had applied before the respondent No.2-Registrar, Public Trust for permission to sell some of the lands of the trust and in an illegal manner permission was granted to them by the respondent No.2. On 13.3.2006 the petitioners filed an application (Annexure P-7) before the respondent No.2 submitting in it that as number of irregularities are going in the said trust, an enquiry be made. The petitioners have also prayed that two additional trustees be appointed, no one should be granted permission for transferring the trust property and appropriate enquiry be made regarding the irregularities committed by the persons concerned. On filing such application, Revenue Case No.32/B-113 (4)/2005-06 was registered and the respondent No.2 vide order dated 27.12.2007 (Annexure P-8) held that previous permission granted for the sale of few properties of the trust was in accordance with law and as such no order is required to be passed.

2. In this petition, the petitioners have prayed for quashment of the order dated 27.12.2007 (Annexure P-8) and also order dated 12.10.2007 (Annexure P-6) granting conditional permission for sale of some of the trust properties.
3. Learned counsel for the petitioners submits that though the petitioners are aggrieved by the grant of permission to the private respondents to sell some of the properties belonging to the trust but the main object of the petitioners is to point-out illegal activities going-on in the trust and to get the additional trustees appointed so that the illegalities may appear on surface and the trust can be handle properly. He further

submits that the petitioners are not pressing the relief relating to quashment of the order dated 12.10.2007 (Annexure P-6) & 27.12.2007 (Annexure P-8) but on the face of the order dated 27.12.2007 it is clear that while passing the said order, the respondent No.2 has not considered the application (Annexure P-7) as filed by the petitioners on 13.03.2006. He further submits that in these circumstances, the petitioners may be permitted to withdraw this writ petition with liberty to file appropriate application under Sections 26 & 27 of the Chhattisgarh Public Trust Act, 1951 before the Registrar, Public Trust, and the said authority may be directed to consider and decide the application of the petitioners expeditiously.

4. Learned counsel appearing for the respondents submit that for filing any application under Sections 26 & 27 of the Chhattisgarh Public Trust Act, 1951, no permission is required from the Court and the petitioners can file any such application whenever they feel like. However, they have no objection if the petitioners are granted permission to file any such application before the Registrar, Public Trust, Raipur.
5. In view of the above submissions made by the parties, this petition is dismissed as withdrawn with the aforesaid liberty. In the eventuality of filing any such application by the petitioners, it is expected by the competent authority to consider and decide the same expeditiously strictly in accordance with law without being influenced by any of the facts mentioned in this writ petition and observations made in this order.

Sd/-  
(Pritinker Diwaker)  
Judge