

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.2181/2009

1. Chandrika Prasad Tiwari, S/o Davwa Prasad Tiwari, Aged about 42 years, Pujari of Radha Kishna Mandir, Bandhwa Talab, Raipur, R/o Gopidas Mandir, Purani Basti, Raipur (CG)

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

.....Petitioner

1. State of Chhattisgarh, through Secretary, Public Trust and Religious Endowment Department, D.K.S. Bhawan, Raipur (CG)

2. Collector/Registrar, Public Trust, Raipur, (C.G.)

3. President / Secretary, Vasundhara, Sahakari Grih Nirman Samittee Changorabhata, Distt. Raipur (C.G.)

.....Respondents

For the petitioners:

Shri J.K. Shastri, Advocate.

For the respondent No.1 & 2:

Shri Rahul Tamaskar, Panel Lawyer

SB: Hon'ble Shri Justice Pritinker Diwaker

Order on Board

22.07.2015

1. By this petition the petitioners have prayed for a direction to the respondent No.2 to appoint 'Sarvarakar' in the temple commonly known as 'Shri Radha Krishna Ji Mandir' and also for conducting suitable enquiry in relation to management of said temple.
2. Learned counsel for the petitioners submits that he is confining his argument only to the relief contained in Para No.10.2 of the petition regarding issuance of direction to respondents No.1 & 2 to make proper enquiry and pass appropriate order so that the interest of Shri Radha Krishna Ji Mandir' is protected.
3. Learned counsel for the State submits that the petitioners can file appropriate application under the provisions of the Chhattisgarh Public

Trust Act, 1951 before the competent authority and the same would be decided in accordance with law.

4. Learned counsel for the petitioners seeks to withdraw this petition with liberty to file appropriate application before the competent authority as per provisions of Sections 25 & 26 of the C.G. Public Trust Act, 1951. However, he submits that a direction may be issued to the competent authority to consider and decide such application expeditiously in accordance with law.
5. Learned State Counsel has no objection to the proposition as put-forth by the petitioners.
6. In view of the above submissions made by the parties, this petition is dismissed as withdrawn with the aforesaid liberty.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

roshan