

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1148 of 2016**

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Mahanth Manohar Das

.... Appellant/s

Versus

Anil Kumar Sen & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dr. Anshuman

For the Respondent/s : Mr. Ganpati Trivedi

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 23-11-2016

Heard learned counsel, Dr. Anshuman appearing for the petitioner, learned Senior counsel, Mr. T.N. Maitin, appearing for respondent No.4 and learned Senior Counsel, Mr. Ganpati Trivedi, appearing on behalf of respondent Nos. 5 and 6.

2. Perused the impugned order dated 29.06.2016 passed by the Sub-Judge-VI, Sasaram in T.S. No. 248 of 2002, whereby the learned court below has rejected the intervention application filed by the present petitioner.

3. Admittedly, the plaintiffs-respondents have filed the suit for declaration that the trust is the private Trust of the plaintiff. The case of the Bihar State Board of Religious Trust is that in fact it is the public Trust. Therefore, for deciding this question between the plaintiffs and contesting defendants, religious Board, the presence of the intervener-petitioner is not at all necessary. From perusal of the impugned order also, it appears

that the court below has taken note of this fact that there is no nexus between this petitioner and the Trust. He is only a member in the Committee formed by the religious Board.

4. In view of the above facts and circumstances, I do not find any reason to interfere with the impugned order in exercise of supervisory jurisdiction. Thus this civil miscellaneous application is dismissed.

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(Mungeshwar Sahoo, J)