

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12258 of 2015

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Ram Pratap Singh S/o Late Jagdambi Singh Resident of Village Laldeera,
P.S. Barahia, District Lakhisarai.

.... Petitioner

Versus

1. The State of Bihar.
2. The President, Bihar State Religions Trusts Board, Vidyapati Marg,
Patna.
3. The District Magistrate, Lakhisarai.
4. The Sub-Divisional Officer, Lakhisarai.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate.
For the State : Mr. Satyadeo Kumar- SC-V, Advocate.
For the Respondent No.4 : Mr. Ganpati Trivedi, Advocate.
For the Intervenor : Mr. Arun Kumar, Advocate.
Mr. Ram Vinay Pd. Singh @ Sanjay, Adv.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 19-02-2016 Interlocutory Application No. 1281 of 2016 has been

filed for impleadment of the intervenor as a party respondent on

the ground that he is a Mahanth/ Sebait of Ram Janki Thakurwari

for last 40 years. It is contended that a subsequent Committee has

been constituted without noticing him and behind his back. Even

the present writ application has been filed without impleading him

as a party.

It is contended that the Secretary of the Committee

has opened a separate account bearing A/C No.18562191006678

in Oriental Bank of Commerce, Lakhisarai and huge amounts

lying under the Nazarat would be deposited in that account of

Thakurwari Nyas and a direction has been given vide Annexure-4

to the writ petition to lift the embargo/ earlier direction for not drawing the amount.

It appears that the petitioner vide the earlier notification dated 05.05.2008 as contained in Annexure-1 was appointed as a member and Vice Chairman of the Trust Committee by the Bihar State Board of Religious Trust. Under Section 32, the tenure of the Trust Committee was for five years, thereafter, a new Committee has subsequently been constituted by the Board vide notification dated 27.06.2013 in which intervenor could not find place.

The President of the Board requested the Sub-Divisional Officer vide his letter dated 23.09. 2014 that the temple/ math is in a dilapidated condition and Rs. 7-8 lacks of the Trust has been deposited in Nazarat and further that the S.D.O himself being the Chairman of the Trust Committee, that amount should be allowed to withdraw from the Nazarat and should be deposited in the account of the Trust Committee so that necessary rehabilitation and construction work could be done for the betterment of the Temple/ Math under the guidance of the Chairman.

In the aforesaid background, it is clear that the intervenor after the lapse of five years from the notification of Annexure-1 was neither Member or Vice Chairman of the

Committee and though he submits that the subsequent Committee was made without noticing him, however, constitution of such Committee, which was formed in the year 2013, was never challenged by him till date and the fact that the amount has been directed to be deposited in the account of the Temple or Trust Committee of which the Sub-Divisional Officer himself is the Chairman and the earlier direction for not utilizing the amount of the Trust Committee has been lifted or relaxed with a rider that any investment would be done under the guidance of the Chairman himself, this Court does not find any illegality in the aforesaid order.

The learned counsel for the petitioner has submitted that the entire amount has already been transferred into the account of the Trust Committee and, as such, the petitioner does not press this application.

Accordingly, in the aforesaid background, the writ application is dismissed as not pressed. Thus, there would be no occasion to implead the intervenor of I.A. No. 1281 of 2016 as a party.

(Dr. Ravi Ranjan, J)

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