

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5874 of 2017

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1. Surendra Rai, S/o Late Sikandar Rai, R/o- Village Bishanpur Abhi, P.S.- Khanpur, District- Samastipur.
 2. Nathuni Sahni, S/o Baleshwar Sahni, R/o Village- Bishanpur Aabhi, P.S. Khandpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The District Magistrate, Samastipur, District- Samastipur.
4. The Superintendent of Police, Samastipur, District- Samastipur.
5. The Block Development Officer Khanpur-cum-Chairman- Religious trust Committee of Ram Janki Thakurbari, At + P.O.- Bishanpur Abhi, P.S. Khanpur, District- Samastipur.
6. The P.S. Incharge (S.H.O.) Khanpur, P.S. - Khanpur, District- Samastipur.
7. The Bihar State Board of Religious Trust through the Administrator-cum-Officer on Special Duty, Vidyapati Marg, Patna.
8. The Administrator-cum-Officer on Special Duty, Bihar State Board of Religious Trust, Vidyapati Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar, Advocate
For the Respondent/s	:	Mr. Mrigendra Kumar, A.C. to G.A. 4
		Mr. Ganpati Trivedi, Sr. Advocate
		Mr. Madan Mohan, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 17-07-2017

With regard to the grievance of the petitioners in question in the matter of establishment of the temple, petitioners have a statutory remedy under the Bihar Hindu Religious Trust Act and the rules framed thereunder and, therefore, for ventilating the grievance with regard to the establishment of a temple, recourse to the remedy



of Public Interest Litigation under Article 226 of the Constitution is not called for.

Granting liberty to the petitioners to take recourse to the statutory remedy for management of the property, the writ petition is disposed of. In case any representation or application is filed before a statutory authority, the statutory authority is expected to proceed in the matter in accordance with law.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	20.07.2017
Transmission Date	

