

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13835 of 2016

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1. Shyamakant Mandal, Son of Late Harihar Mandal, Resident of Village- Bounsi, P.S.- Bounsi, District- Banka.
 2. Jay Kumar Singh, Son of Late Jagarnath Singh, Resident of Village- Bounsi, P.S.- Bounsi, District- Banka.
 3. Bindeshwari Jha, Son of Late Giro Jha, Resident of Village- Bounsi, P.S.- Bounsi, District- Banka.
 4. Rajiv Thakur, Son of Late Jay Prakash Thakur, Resident of Village- Bounsi, P.S.- Bounsi, District- Banka.
 5. Suvansh Thakur, Son of Late Vishwaranjan Thakur, Resident of Village- Dalia, P.S.- Bounsi, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Revenue, Govt. of Bihar, Patna.
3. The Commissioner, Bhagalpur Division, Bhagalpur.
4. The Collector-cum-District Magistrate, Banka.
5. The Sub Divisional Magistrate, Banka.
6. The Circle Officer, Bounsi, Banka.
7. Awadhesh Thakur, Son of Late Bharat Bhushan Thakur, Resident of Village- Manikpur, P.S.- Shahkund, District- Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
Mr. Rajiv Kumar Singh, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam, A.A.G. 12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)



Date: 17-03-2017

With regard to the activities of a private individual in encroaching upon the temple in question and creating certain acts which are not permissible in law in the temple premises,, representations were submitted by the petitioners and other persons of the locality to the Circle Officer, Bounsi, Banka and when no fruitful result came out, records indicate that a further representation has been submitted to the Collector-cum-District Magistrate, Banka and complaining inaction on the part of the District Magistrate, this writ petition has been filed.

Having heard learned counsel for the petitioners and Sri Md. Khurshid Alam, learned Government advocate on advance notice, we are of the considered view that interest of justice would be made in case the District Magistrate is directed to look into the grievance of the petitioners, consider the same in accordance with law after hearing all concerned including private individuals against whom the complaints have been made within a reasonable period preferably within six months.

The writ petition stands disposed of.

We may clarify that we have not expressed any opinion on the merits of the allegations made in this writ petition. It is exclusively for the District Magistrate to look into the same, hear all



concerned and thereafter take a decision.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	18.03.2017
Transmission Date	

