

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1468 of 2015

In

Civil Writ Jurisdiction Case No.485 of 2014

=====

Maharani / Rajmata Smt. Durgeshwari Sahi W/O Late Maharaja Gopeshwar Prasad Sahi R/O Village- Maharani of Hathwa Raj, P.S.- Mirganj, District- Gopalganj

... .. Appellant

Versus

1. The Bihar State Religious Trust Board through it's President at Vidyapati Marg, Patna
2. The President, Bihar State Religious Trust Board, at Vidyapati Marg, Patna
3. Sri Kishore Kunal, The President, Bihar State Religious Trust Board at Vidyapati Marg, Patna
4. The State of Bihar, through The Chief Secretary, Govt. of Bihar, Patna
5. The Collector-District Magistrate, Gopalganj
6. Maharaj Bahadur Shri Mrigendra Pratap Sahi, Maharaja of Hathwa Raj S/o Late Maharaja Gopeshwar Prasad Shahi, P.S.- Mirganj, Distt- Gopalganj
7. Maharaj Kumar Kaustuv Mani Pratap Sahi S/O Maharaj Bahadur Shri Mrigendra Pratap Sahi Hathwa Raj, P.S.- Mirganj, District- Gopalganj
8. Sri Suresh Pandey, S/o Late Kalika Nand Pandey, R/O Kharagramchhaper, P.S.- Bhorey, Distt- Gopalganj
9. Sri Shivakant Pandey, S/o Gorakh Pandey, R/O Vill- Pandey Tola, P.S.- Bhorey, Distt- Gopalganj
10. Sri Pradeep Pandey, S/o Baleshwar Pandey, R/O Vill- Pandey Tola, P.S.- Bhorey, Distt- Gopalganj

... .. Respondents

=====

Appearance :

For the Appellant : Mr. Manan Kumar Mishra, Senior Advocate
Mr. Vishwajeet Kumar Mishra, Advocate
For the Respondent Nos.1-3: Mr. Ganpati Trivedi, Senior Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 06-11-2017

Having heard counsel for the appellant and counsel for the Bihar State Board of Religious Trust, this appeal can be safely disposed off with an observation that the Board will have an obligation to keep the tradition, custom and the right of the Hathua



Estate family in relation to Puja, Archana etc. of the deity, whenever any decision for any alteration in the working arrangement of the deity is taken.

The Board should not forget that the deity was a personal deity of the Hathua Raj. It is because the faith of the people in the said deity has increased manifold, it has been declared to be a public trust. But that is only because of the public offerings. The offerings should be utilised in the management of the temple. The declaration of the deity as a public trust in no manner takes away the right, which the Hathua Estate has been exercising otherwise, in the matters of Puja, Archana etc.

Before parting, the Court, however, does take into consideration that the working arrangement which has been made by the Board has been done after due consent of the present Maharaja.

Appeal stands disposed off with the observations as above.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	07.11.2017
Transmission Date	N/A

