

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 25683 of 2013

=====

Sukhdeo Giri, S/O Late Ramotar Giri and Disciple (Chela) of Late Mahanth Ram Lakhan Bharti, Neel Kanth Mahadeo Math, Resident of Village Musapur, P.S. Sarai Ranjan, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Religious Affairs, Government of Bihar, Patna.
2. Bihar State Board of Religious Trust through its Chairman, Vidyapati Marg, Patna-1.
3. The Chairman, Bihar State Board of Religious Trust, Vidyapati Marg, Patna-1.
4. The Circle Officer, Sarai Ranjan, District Samastipur.
5. Shri Dayal Sharan Gupta S/O Late Siya Saran Gupta, Resident of Village and P.S. Ghataho, District Samastipur.
6. Shri Arvind Giri S/O Late Badri Narayan Giri Resident of Village and P.S. Ghataho, District Samastipur.
7. Shri Rajiv Ranjan S/O Late Jagatu Mahto Resident of Village Khajautia, P.S. Ghataho, District Samastipur.
8. Shri Ramanuj Pandit S/O Chaturi Pandit R/O Village Musapur, P.S. Ghataho and District Samastipur.
9. Shri Madhusudan Chaubey S/O Late Shri Kant Choubey Resident of Village Musapur, P.S. Ghataho and District Samastipur.
10. Shri Shyam Nandan Chaudhary S/O Late Rama Kant Chaudhary Resident of Village Khajautia, P.S. Ghataho, District Samastipur.
11. Smt. Manju Devi W/O Late Nagendra Ram R/O Village and P.S. Ghataho, District Samastipur.
12. Shri Ram Nagina Singh S/O Raja Ram Singh Resident of Village Sahwajpur, P.S. Ujyarpur, District Samastipur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Y. V. Giri, Sr. Advocate
		Mr. Suresh Chand Giri, Advocate
For the Respondent/s	:	Mr. Ganpati Trivedi, Sr. Advocate
		Mr. Manoj Kumar, Advocate
		Mr. Madan Mohan, Advocate
For the State	:	Mr. Anuj Kumar, AC to GP-24

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-03-2017

Heard learned counsel for the petitioner, State and the

Bihar State Board of Religious Trusts (hereinafter referred to as the

‘Board’).

The challenge in the present writ application is to the



order of the respondent no. 3 dated 10.09.2013 by which a scheme has been framed and Committee constituted for managing the Neel Kanth Mahadeo Math.

Learned counsel for the Board raised a preliminary objection and submitted that in terms of Section 32(3) of the Bihar Hindu Religious Trusts Act, 1950 (hereinafter referred to as the ‘Act’), the petitioner has remedy before the District Judge, Samastipur where the issue can be thrashed out on facts which have to be gone into in the present case.

Faced with the situation, learned counsel for the petitioner agrees to the proposal and prays that a time limit be fixed as the matter is quite old.

In view of the aforesaid, the writ petition stands disposed off with liberty to the petitioner to move before the District Judge, Samastipur under Section 32(3) of the Act. If an application to such effect is filed within one month from today, along with a copy of this order, the District Judge, Samastipur, after hearing all the parties, shall dispose off the matter within three months from the date of such filing.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	

