

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6185 of 2014

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Dilip Das, Chela of Shiv Rani Das Son of Late Tej Narayan Chaudhary, Resident of Village - Singheshwar, Police Station – Singheshwar, District - Madhepura, At Present Mahanth of Ram Janki Choudhary, Thakurbari, Village & Police Station - Singheshwar, District – Madhepura.

.... Petitioner/s

Versus

The Bihar State Board of Religious Trusts Vidyapatti Marg, Patna through Kishore Kunal, the Chairman of Bihar State Religious Trust, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Respondent/s : Mr. Shekhar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 28-08-2017

Heard learned counsel for the petitioner and the Bihar State Board of Religious Trusts (hereinafter referred to as the 'Board').

2. The petitioner has challenged the order contained in Memo No. 1978 dated 14.02.2012, passed by the President of the Board by which the so called separate trust of which the petitioner claims to be the *Sebait* has been amalgamated and combined with another trust.

3. Learned counsel for the petitioner submitted that pursuant to notice contained in Letter No. 440 dated 15.06.2011, he had sent his reply by post on 25.07.2011 to the Board, but without considering the same, the impugned order dated 14.02.2012 has been



passed.

4. Learned counsel for the Board, at the very outset, submitted that the said reply though seemingly sent under registered post on 25.07.2011, has unfortunately not been received by the Board and the order dated 14.02.2012 has been passed. He submitted that the Board would not be averse to the matter being remanded for fresh consideration in light of the representation filed by the petitioner, copy of which is Annexure-3 to the writ application.

5. In view thereof, the writ petition stands disposed off with a direction to the Board to pass a fresh reasoned order after considering the aforesaid reply sent by the petitioner, in accordance with law, within two months from the date of production of a copy of this order before the Board, which shall be done within three weeks from today after giving an opportunity of hearing to him. The impugned order contained in Memo No. 1978 dated 14.02.2012, though technically being set aside, shall continue to operate till the time fresh order is passed, which would automatically supersede the impugned order dated 14.02.2012.

(Ahsanuddin Amanullah, J)

P. Kumar

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