

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14759 of 2014

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Bijay Kumar Tiwary S/o Late Tarkeshwar Tiwary R/O Village- Baikathpur,
P.S. - Khusrupur, District - Patna.

.... Petitioner/s

Versus

1. The Bihar Hindu Religious Trust Board through its Chairman, Vidyapati Marg, Patna, Bihar.
2. The Chairman Bihar Hindu Religious Trust Board, Vidyapati Marg, Patna, Bihar.
3. The Secretary, Bihar Hindu Religious Trust Board, Vidyapati Marg, Patna, Bihar.
4. The District Magistrate, Patna.
5. The Circle Officer, Khusrupur, Patna.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Respondent/s : Mr. Ashok Kumar, SC-11

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 04-09-2017 Heard learned counsel for the petitioner, State and the Bihar State Board of Religious Trusts (hereinafter referred to as the 'Board').

2. The petitioner has moved the Court for the following reliefs:

“(i) For direction upon the respondent authorities particularly respondent no. 2 for exercise of power under Section 28 of Bihar Hindu Religious Trust Act, 1950 (hereinafter referred to as the ‘Act’) read with Section 32 of the Act for properly managing the affairs of Radha Ballabh Bhawani Shankar Mandir Trust



Baikathpur, Khusrupur, Patna, because the properties of the trust as also the income generating from the temple is being misappropriated by one Sunil Panda S/o Late Janki Panda who is forcefully occupying/ functioning as Priest of the temple.

(ii) For further direction upon the respondent Board to hold enquiry with regard to the defalcation made by the members of Managing Committee of the properties of the trust particularly the ornaments of the temple.

(iii) For further direction upon the respondent authorities to insure that Puja-Path, Rajbhog of the Deity is performed regularly.

(iv) For any other relief or reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”

3. The grievance of the petitioner is that the Radha Ballabh Bhawani Shankar Mandir Trust which is registered with the Board, is being mismanaged for which an application has been filed before the President of the Board on 07.06.2014, but no action has been taken.

4. Learned counsel for the Board submitted that it is the prime duty of the Board to ensure that the Trust registered with it is properly managed.

5. In view of the aforesaid, the writ petition stands



disposed off with a direction to the Board to ensure that if the said Trust is registered with the Board, it functions in accordance with the object of the deed of dedication, if any, as well as in terms of the provisions of the Bihar Hindu Religious Trusts Act, 1950 and also in the larger public benefit, in accordance with law.

6. For such purpose, let the petitioner file a fresh representation before the Board giving details within one month from today. Upon the same being done, the Board shall act in terms of the observations made hereinabove.

7. The Court would further observe that such matters require urgent interference so as to prevent any mischief by any person.

(Ahsanuddin Amanullah, J)

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