

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13074 of 2014

=====

Mahanth Radhey Shyam Das @ Radhey Shyam Das Chela Mahant Bal-Ram Das deceased Resident of Kabiyaahi Asthal, P.O. - Kabiyaahi, P.S. - Shankarpur, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Board of Religious Trust, through its Administrator-cum-Special Working Officer, Vidyapati Marg, P.S. - Kotwali, District - Patna.
3. Administrator-cum-Special Working Officer, Bihar State Board of Religious Trust, Patna, Vidyapati Marg, P.S. Kotwali, District - Patna.
4. The S.P. Mahdepura, District Madhepura.
5. The Additional D.G. Police, C.I.D. Bihar Patna at its office at Old Secretariat, Patna.
6. Mahant Sita Ram Das son of Khub Lal Yadav resident of village - Kabiyaahi, P.O. - Kabiyaahi, P.S. Shankarpur, District - Madhepura.

.... Respondent/s

=====

Appearance:

For the Petitioner/s : Mr. Kameshwar Prasad Singh, Advocate
For the State : Mr. Puneet Siddhartha, AC AAG-13
For the B.S.B.R.T. : Mr. Ganpati Trivedi, Sr. Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

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

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

“(i) Direction be made to the Religious Trust Board not to interfere into the functioning of the petitioner as status-quo has finally been granted to the petitioner in the matter before



the Hon'ble Patna High Court.

- (ii) *That since the petitioner has got all the requisite qualification for being a Mahant and taking it into consideration that the petitioner is working as Mahant since after demise of his Guru i.e. since the year 1977, therefore, direction be made to the Board to grant him approval for permanent Mahantship of the said Trust as the petitioner has been recognized as Mahant of the temple by the Board vide its letter dated 05.08.1997.*
- (iii) *A further direction be made to the C.I.D. officials (Respondent No. 5) to enquire into the matter properly and action be made against the respondent no. 6.”*

3. Learned counsel for the Board submitted that the petitioner has statutory remedy under the Bihar Hindu Religious Trusts Act, 1950 (hereinafter referred to as the 'Act'), for the grievance raised in the present writ petition.

4. Faced with the situation, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to move before the statutory forum.

5. In view thereof, the writ petition stands disposed off with liberty aforesaid.

6. If the petitioner moves the statutory forum provided under section 28(3) of the Act, within one month from today, the



same shall be considered and disposed off on merits, expeditiously and latest within a period of six months from the date of such filing.

(Ahsanuddin Amanullah, J)

S.Sb/-

U			
---	--	--	--

