

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1924 of 2014

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Ashok Mandal S/O Late Shital Mandal R/O Village - Sarounikala, Via Bihariganj,
P.S. Bihariganj, District - Madhepura, At Present Chairman Of Kali Trust
Committee Sarouni Kala, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar through Chairman of Bihar State Board of Religious Trust,
Vidyapati Marg, Patna
2. The Chairman of Bihar State Board of Religious Trust, Vidyapati Marg, Patna
3. The Administrator cum Special Executive Officer, Bihar State Religious Trust,
Vidyapati Marg, Patna
4. The Superintendent Of Bihar State Board of Religious Trust, Vidyapati Marg,
Patna
5. The District Magistrate- cum - Collector, District - Madhepura
6. Shri Surendra Mishra S/O Late Balbhadra Mishra R/O Village - Sarounikala,
Via Bihariganj, P.S. Bihariganj, District - Madhepura
7. Sri Shaleshwar Mandal Father Name not Known Kali Mandir of Sarouni R/O
Village - Sarounikala, Via Bihariganj, P.S. Bihariganj, District - Madhepura

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the BSBRT : Mr. Shekhar Singh, Advocate
For the State : Mr. Harish Kumar, GP-32

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 23-08-2017

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

2. The petitioner has moved the Court for quashing of the
order of the Board contained in Memo No. 1766 dated 27.12.2013, by
which 15 persons have been asked to attend the General Body
meeting of the villagers for selection of an 11 Member Committee for



Kali Trust Committee, Sarouni Kala in the district of Madhepura.

3. The Court has been unable to understand the purpose of the petitioner challenging the said notice which was simply informing that there would be a General Body meeting held on 22.01.2014.

4. Learned counsel for the petitioner submitted that there is already a Committee functioning and thus there could not have been any fresh constitution.

5. Learned counsel for the Board submitted that though the Trust Committee is under the supervision of the Board, the so-called Committee of which the petitioner claims to be the Chairman, was a self constituted Committee and now for the purposes of constituting a valid, legal and proper Committee having persons of repute as members, the process is being initiated and the sole purpose of the writ petitioner is somehow to create hurdle in the same.

6. Learned counsel for the petitioner submitted that they have already constituted a Committee and the same has been communicated to the Board under letter dated 21.02.2013.

7. Be that as it may, the writ petition stands disposed off with liberty to the Board to proceed with constitution of the Committee, in accordance with law, if already not constituted, within two months from today. The petitioner shall be at liberty to present his side of the story before the Board to show that the Committee has



already stood constituted and he is the Chairman. If such objection is filed by the petitioner within one month from today, the same shall be considered before a final decision is taken by the Board in the matter.

8. It goes without saying that if the petitioner has moved the Board with regard to any grievance relating to any person who may have misappropriated, defalcated or mismanaged the corpus of the Trust in question, the Board would be obliged to take appropriate and suitable action, in accordance with law, to safeguard the interest of the Trust.

(Ahsanuddin Amanullah, J)

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