

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4815 of 2017

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Vivekanand Singh, Mukhiya, Man Dhaneshpur North, son of late Baleshwar Singh, resident of Village - Mirzapur, Post + Police Station - Vidyapati Nagar, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Religious Trust Board, Bihar, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The District Magistrate, Samastipur.
5. The Sub-Divisional Officer, Dalsing Sarai.
6. The Circle Officer, Vidyapati Nagar, District - Samastipur.
7. The Officer-in-charge, Vidyapati Nagar, District - Samastipur.
8. The Monk, Vidyapati Nagar Temple, District - Samastipur.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate.
For the Respondent/s : Mr. Ajay, GA 5
Mr. Pratik Sinha, AC to GA 5.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 17-05-2017

The grievance of the petitioner pertains to the functioning and management of Vidyapati Nagar Temple situated in the district of Samastipur.

Admittedly, the temple in question is being run by a trust registered under the Bihar Hindu Religious Trust Act, 1950 and if the management of the trust is said to be involved in committing various illegal activities through anti-social-elements, as is made out in the pleadings of the Writ Petition, the petitioner should file a statutory



complaint.

As the question is with regard to the management of the trust in question, of course, the petitioner may take recourse to the remedy available under Section 47 read with Section 48 of the Act of 1950 and it would be for the statutory authority to look into the grievance of the petitioner and take action against the trust or the trustees if the grievance of the petitioner is found to be correct.

As the statutory remedy is available to the petitioner under the Act of 1950, we are not inclined to interfere into this Public Interest Litigation. With regard to the issue in question, the petitioner may take recourse to the statutory remedy available to him.

The Writ Petition is accordingly disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.05.2017.
Transmission Date	N/A

