

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19391 of 2016

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1. Ashok Kumr Jha s/o late Baidyanath Jha, resident of Mohalla Miscut, town- Muzaffarpur, P.S. Mithanpura, District- Muzaffarpur.
 2. Nilam Devi, W/o Sri Prakash Chadra Gupta, R/o Mohalla- Tilak Maidan Road, P.S. +Town+District- Muzaffarpur.

.... Petitioner/s

Versus

1. The Bihar State Board of Religious Trusts through its Administrator, situated at Vidyapati Marg, Patna-80001.
2. The Administrator, Bihar State Board of Religious Trusts Vidyapati Marg, Patna-80001.
3. Superintendent of Religious Trust Board, Vidyapati Marg, Patna-80001
4. The State of Bihar.
5. The Collector, District Muzaffarpur.
6. The Additional Collector, Muzaffarpur.
7. The S.D.M. (East) Muzaffarpur.
8. The Circle Officer, Mushhari, Muzaffarpur.
9. Officer-in-Charge, Town P.S.- Muzaffarpur.

.. .. Respondents 1st Party.

... .. Respondents 2nd Party.

10. Sri Rajesh Kumar Singh @ Rajesh Kumar Das, s/o Sri Nawal Kishore Singh R/o Adalpur, P.S. Sadar, District- Vaishali at Hazipur having postal Address C/o Sri Ram Janaki Mandir, Akharaghat Road, Muzaffarpur.

.... Respondent 3rd Party.

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Appearance :

For the Petitioner	:	Mr. Om Prakash, Advocate
For the State	:	Mr. Kaushal Kumar Jha- AAG-8
For the Board	:	Mr. Ganpati Trivedi, Senior Advocate
		Mr. Madan Mohan, Advocate
		Mr. Sambhu P. Gupta, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 16-05-2017

Inter alia contending that in the establishment, management and functioning of the Trust in question managed by respondent No.10, various illegalities have been committed, this petition has been filed in



public interest.

For the grievance raised by the petitioners in this writ petition, statutory remedy of approaching the statutory authority constituted under the Bihar Hindu Religious Trust Act, 1950 and Rules are available to the petitioners and Section 48 contemplates a statutory procedure for filing a complaint and the District Judge is authorised to cause an enquiry into the matter.

That being so, when the statutory remedy is available to the petitioners, we are not inclined to interfere into the matter. The petitioners may file a properly constituted application in accordance to the Bihar Hindu Religious Trust Act, 1950 before the competent statutory authority and the statutory authority shall proceed to take action in accordance with law.

With the aforesaid liberty to the petitioners, the matter stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.05.2017
Transmission Date	

