

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6673 of 2016

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Ravi Kumar Jha, S/o Shri Raman Kumar Jha, Resident of Gauripur, P.S. Singeshwar,
District- Madhepura.

.... Petitioner/s

Versus

1. The Bihar State Board of Religious Trusts, Vidyapati Marg, P.S. Kotwali, Town and District Patna through its Administrator/Special Officer.
2. The Chairman, Bihar State Board of Religious Trust, Vidyapati Marg, Patna-800001.
- 2A. The State of Bihar through the District Magistrate, Madhepura.
3. The Sub-Divisional Officer -cum Secretary, Singheshwar Temple Trust Committee, Singheshwar, Madhepura.
4. The Chairman, Singheshwar Temple Trust Committee, Singheshwar, District Madhepura.
5. Shri Sanjay Kumar Nirala, presently posted as Sub Divisional Officer, Madhepura cum Secretary of Singheshwar Temple Trust Committee, Singheshwar, District Madhepura.
6. Sri Bhupendra Narayan Yadav Madhepuri, Member of Singheshwar Temple Trust Committee, Singheshwar, District Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal, Adv.
Mr. R.R. Tiwry, Adv.

For the Respondent-State : Mr. Neeraj Kr. Sinha, AC to AAG-2

For the Respondent-Board : Mr. AAG2- D.K.SINHA

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 14-05-2018

Heard Mr. Alok Kumar Agrawal, learned counsel appearing for the petitioner, Mr. Neeraj Kumar Sinha, learned Assisting Counsel to Additional Advocate General No.2 for the State and Mr. Shekhar Singh, learned counsel appearing for the Bihar State Board of Religious Trust (hereinafter referred to as the 'Board').

While the Chairman of the 'Board' has appointed the petitioner as the Manager for Shri Singheswar Asthan Mandir Nyas Samiti, Singheshwar, Madhepura (hereinafter referred to as the 'Samiti') albeit as an interim measure, vide order bearing Memo No.3878 dated 26.2.2016, an objection is raised by the Secretary of the 'Samiti' who also happens to be the Sub-Divisional Officer, Madhepura in informing the Chairman



of the ‘Board’ that the petitioner was not a graduate on the date of appointment on 26.2.2016 which qualification has been attained by him after a week on 5.3.2016. The letter is dated 10.3.2016 on which date the petitioner has admittedly become a graduate.

The issue is that the appointment is not substantive rather is by interim measure and since the petitioner has become a graduate, it is for the Chairman of ‘the Board’ to dispose of the objection so raised by the Secretary of ‘the Samiti’ at Annexure 6.

It is stated at the Bar by Mr. Shekhar Singh, learned counsel appearing for the ‘Board’ that at present the office of the Chairman of ‘the Board’ is lying vacant and the function of the ‘Board’ was being looked after by the Administrator but which post has also fallen vacant due to untimely demise of the Law Secretary who was appointed the Administrator.

Having heard learned counsel for the parties and considering the circumstances noted, let a decision be taken by the Administrator/Chairman of the ‘Board’ as the case may be, within a period of four weeks of his appointment to the post, in accordance with law.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
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