

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8260 of 2014

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Ram Naresh Tiwary Son of Late Pandit Dharmdeo Tiwary Resident of Mohalla -
South Nala Road, Police Station - Kadamkuan, District : - Patna.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The President, Bihar Religious Trust Board, Bihar, Patna.
3. Shri Ramchandra Khan, the President, Shri Nagababa, Thakerbari Vikash and Prabandh Nayesh Samiti, Kadamkuan, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Respondent-BSBRT : Mr. Ganpati Trivedi, Sr. Advocate

For the Respondent-State : Mr. Mukund Mohan Jha, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 18-06-2018

This writ petition has been filed by the petitioner for quashing the order issued by respondent no.3, the President, Shri Nagababa, Thakurbari Vikash and Prabandh Nayash Samiti, Kadamkuan, Patna dated 27.03.2014 as contained in Annexure-4 to the instant writ petition by which the petitioner has been terminated from the post of Secretary of the said Nagababa, Thakurbari Vikash and Prabandh Nayash Samiti.

2. In the opinion of this court, the writ petition is



not maintainable in view of the fact that the trust committee has been constituted under the bye-laws of the trust. By the impugned order, the President of the trust has terminated the petitioner from the post of Secretary. The trust committee or its president would not come within the definition of State under Article 12 of the Constitution of India.

3. Thus, the writ is dismissed as not maintainable.

4. However, the petitioner shall be at liberty to challenge the order passed by the President of the trust committee by way of filing a suit before a court of competent jurisdiction.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.06.2018
Transmission Date	NA

