

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1461 of 2017

The Chairman, Sri Gopal Jain, Son of Sri Bhadar Mal Jain, Bihar State Digamber Jain Religious Trust Board, Chandmari Road, Near Shiv Mandir in the house of Chiranji Lal Jain, Patna Police Station Kankerbagh, District- Patna.

... .. Appellant/s

Versus

1. Sri Satish Chandra Jain, Son of Late F.C. Jain, Ex-Honorary Secretary, Bhagwan Mahavir Smarak Samittee, Vaishali and resident of B-8/8, Basant Bihar, New Delhi 2-23, 2nd Flor, House Khas, Delhi- 100016, at present Village+P.S.+ District Vaishali.
2. Sri Raj Kumar Jain, father's name not known, Ex-President, Bhagwan Mahavir Smarak Samittee, Boso Kund, Muzaffarpur and resident of Veera Developmers, B- 3/58, Ground Floor, Safdarjang, New Delhi- 110029.
3. Sri Sahu Akhilesh Jain, father's name not known, Chief Patron, Bhagwan Mahavir Smarak Smiti, Boso Kund, Muzaffarpur, resident of Gulmohar Park, New Delhi- 110049.
4. Sri N.K. Sethi, IAS, father's name not Known, President, Bhagwan Mahavir Smarak Samittee, Boso Kund, Muzaffarpur and resident of Rishav Deep, 4/83, Surya Path, Nawahar Nagar, Jaipur- 302004.
5. Bhagwan Mahavir Smarak Samittee, Boso Kund, P.S. & Anchal- Saraiya, District- Muzaffarpur, a society, being Registration No. 312 of 1982-83 under the Society Registration Act through its present Secretary Sri Ratan Lal Gangwar, resident of Jain Sadan, Govind Mitra Road, Patna- 800004.
6. The Chairman, Bihar State Digamber Jain Trust Board, Chandmari Road, Near Shiv Mandir, in the House of Chiranji Lal Jain, Patna, P.S.- Kankerbagh, District- Patna.
7. Bihar State Digamber Jain Trust Board, Chandmari Road, Near Shiv Mandir in the House of Chiranji Lal Jain, Patna, P.S.- Kankerbagh, District- Patna through its Chairman.
8. The State of Bihar through the Collector, Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Suraj Narain Yadav
For the State	:	Mr. Sajid Salim Khan – SC25
For the respondent No.1	:	Dr. Ansuman Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-11-2018

Heard both sides.

The petitioner has filed this Civil Misc. petition
against the order dated 19.07.2017 by which the leaned



Additional District Judge-II, Vaishali at Hajipur stayed the operation of order dated 07.07.2017 passed by the Chairman, Bihar State Digamber Jain Religious Trust Board for three months.

The learned counsel for the respondent No.1 as well as the learned counsel for the State submits that period for order of stay of three months has elapsed and there is no stay order is operating. The new committee has already been constituted and if the petitioner is at all aggrieved by the constitution of new committee he may file fresh petition.

Having considered the submission of both sides, I find that since the order of stay granted by learned Additional District Judge on 19.07.2017 is for three months and the same has elapsed and no stay order is continuing, this Civil Misc. petition has become infructuous. Accordingly, the same is dismissed as has become infructuous.

However, it is observed that if the petition of the petitioner dated 28.07.2017 (Annexure-17) in Misc. Case No. 43 of 2017 is still pending, the same shall be disposed of forthwith.

(Prabhat Kumar Jha, J)

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