

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16190 of 2015

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Sita Devi Wife of Late Jagdish Gupta resident of village - Koran Saray, P.S. Koran Saray, Distt. - Buxar

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Collector, Buxar.
3. The Bihar State Board of Religious Trust, Baidyapati Marg, Patna through its Chairman.
4. The Circle officer, Dumraon, Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan, Adv.
For the Respondent/s : Mr. Manoj Kr.AC to GP 4.
For the Respondent Nos.1 to3: Mr. Ganpati Trivedi, Sr. Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-04-2019 The pleadings in the writ application would show that the petitioner is claiming the property along with the temple standing thereon as a private property. It is her case that there are several shops in the campus and earlier the shopkeepers were paying the rent to the petitioner from which the petitioner was managing the Ragbhog of the temple but some of the shopkeepers have started paying rent to the Bihar State Board of Religious Trust and the Board is accepting the rent from the shopkeepers. In course of hearing, learned counsel for the petitioner admits that prior to filing of the present writ application, this issue has never been raised with the Religious Trust Board.

If this is the position, this Court finds no reason to entertain the writ application directly as it is open to the petitioner



to go to the Religious Trust Board with an appropriate request/application in this regard. The Circle Officer, Dumraon has though filed a counter affidavit, however, it appears that copy of the writ application was not served upon learned counsel representing the Religious Trust Board in this case.

Mr. Ganpati Trivedi, learned Senior Counsel has appeared on behalf of the Board. It is stated that the petitioner seems to have filed Eviction Suit against the tenants of the shops.

In the given facts and circumstances of the case, instead of going into the merit of the contentions raised in the writ application, the Court thinks it just and proper to grant liberty to the petitioner to raise all such issues with the Bihar State Board of Religious Trust within a period of 30 days from today and on the petitioners filing such request/application the Religious Trust Board shall consider the same and will pass an appropriate order thereon. It is, however, made clear that this order is being passed without conferring any right upon the petitioner to reopen any issue which might have been settled earlier between the parties.

The writ application stands disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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