

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16560 of 2015

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1. Mahant Vishnu Deva Nand Jyoti Chela and Anr Chela of Late Mahant Hariharanand Jyoti R/o Maniyar Math, P.S. Mohiuddinagar, District - Samastipur.
 2. Mahant Satyeshwara Nand Jyoti Chela of Late Mahant Hariharanand Jyoti R/o Bhataura Math, P.S. Hathauri, District Samastipur.

... .. Petitioner/s

Versus

1. Bihar State Board Of Religious Trust Vidyapati Marg, Patna through its Chairman
2. The Chariman, Bihar State Board of Religious Trust, Vidyapati Marg, Patna.
3. The Collector, Samastipur.
4. The Sub Divisional Officer, Samastipur.
5. The Sub Divisional Officer, Rosera.
6. The Circle Officer, Mohiuddi Nagar, District Samastipur.
7. The Circle Officer, Warisnagar, District Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jagnnath Singh, Adv.
For the Respondent nos.1&2:		Mr. Ganpati Trivedi, Sr.Adv.
		Mr. Sanjay Kumar Pandey, Adv.
For the Respondent nos.3to7:		Mr. Manoj Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2019 The grievance of the petitioner in the present writ application is that even though the encroachers have encroached upon the property of Maniyar Math, Darshur Math, Bhatarua Math and Usma Math and they are taking away the property of the trust, the attention drawn by the petitioner towards this by filing a representation, as contained in Annexure-12 to the writ application, is not being looked into by the Bihar State Board of Religious Trust (respondent no.2).



Learned senior counsel representing the Bihar State Board of Religious Trust submits that in terms of Section 43 of the Bihar Hindu Religious Trust Act, 1950 (hereinafter referred to as the 'Act of 1950'), a Tribunal has been constituted to decide the property disputes and for removal of the encroachment of the trust property under Section 43(d), 43(e) and 43(f) of the Act of 1950 and restoration of immovable property etc. Submission is that if the petitioner is of the view that any trust property has been encroached upon, the same may be brought to the notice of the Tribunal for initiation of an appropriate proceeding.

Learned counsel for the petitioner submits that in fact the petitioner had filed one application before the Tribunal being Case No.12 of 2010.

If it is so, the petitioner will be at liberty to bring this order to the notice of the Tribunal with a request to expedite the consideration of his case and disposal thereof after hearing all concerned and affected persons within a reasonable time. If such an application is moved by the petitioner before the concerned Tribunal, the same will be looked into and considered and an appropriate order in Case No. 12 of 2010 shall be passed in accordance with law within a period of four months from the



date of filing of the certified copy of this order.

The writ application stands disposed off.

(Rajeev Ranjan Prasad, J)

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