

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11420 of 2019

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Dhananjay Kumar Pandey @ Mahanth Dhananjay Pandey, aged about 28 years/ Male, Son of Sri Keshav Pandey, Resident of Village-Laukariya, P.S-Palanwa, District-East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Cooperative Society New Secretariat, Patna.
3. The Administrator, Bihar State Board of Religious Trust, Patna.
4. The District Magistrate, West Champaran at Bettiah.
5. The Sub Divisional Officer, Narkatiyaganj, West Champaran at Bettiah.
6. The Circle Officer, Sikta, West Champaran at Bettiah.
7. Saligram Das, aged about 42 yeas, Male, Son of Late Murlidhar Tiwari Resident of Village-Chikani, Post-Jokiyari, P.S-Raxaul, District-East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Singh, Advocate
For the State	:	Mr. Ramesh Kumar Singh, AC to GP 15
For the Religious Trusts Board	:	Mr. Ganpati Trivedi, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 25-11-2019

Heard learned counsel for the petitioner; learned AC to GP 15 for the State and learned counsel for the Bihar State Board of Religious Trusts (hereinafter referred to as the 'Board').

2. The petitioner has moved the Court for quashing the order dated 08.11.2018 passed by the Board by which the respondent no. 7 has been shown as *Mahanth* of the Math in question. He is also aggrieved by the order dated 03.01.2019



passed by the Board by which *status quo* has been directed to be maintained.

3. The controversy is with regard to Dhutha Math, Bishanpur in the district of West Champaran. The original *Mahanth* Prabhu Nath Das died on 29.01.2018 and on a petition moved by the petitioner and many villagers, the petitioner was made temporary trustee of the Math in question by order dated 22.02.2018 of the Administrator of the Board. Thereafter, on 08.11.2018, a report was called from the Sub Divisional Officer, Narkatiyaganj for sending names of 11 persons for being appointed in the Committee to take care of the Math. The same remained uncomplied with and on 03.01.2019, the Administrator of the Board passed an order indicating that the respondent no. 7, was the *Mahanth* and for maintaining *status quo*.

4. Learned counsel for the Board submitted that from April, 2019 till August, 2019, the post of President/Administrator of the Board had remained empty and, thus, the matter was lingering but now hearing has started. It was submitted that ultimately a final order has to be passed with regard to the Committee to run the Trust.



5. Having regard to the nature of order which the Court proposes to pass, it is not deemed necessary to issue notice to the respondent no. 7.

6. In view thereof, the writ petition stands disposed off with a direction to the President of the Board to ensure that final orders are passed in the matter expeditiously and latest within a period of three months from the date of production of a copy of this order before him. The Court would only indicate that no finding in any of the previous orders with regard to the rival claims shall prejudice the President in passing final order, which should be based on its own merits and should also take note of whatever materials which may be brought on record by any of the contesting parties, in accordance with law.

(Ahsanuddin Amanullah, J.)

P. Kumar

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