

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21921 of 2018

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Vishwanath Singh, Son of Late Ramdev Singh, Resident of Village-Mohari,
Post-Kamrauli, P.S. Tariyani, District-Sheohar.

... .. Petitioner

Versus

1. The State Of Bihar.
2. The Chief Secretary, Government of Bihar, Patna
3. The Commissioner, Tirhut Division, Muzaffarpur
4. The District Magistrate-cum-Collector, Sheohar
5. The District Programme Officer, Welfare Department, Sheohar
6. The Deputy Development Commissioner, Sheohar
7. The Block Development Officer, Sheohar, District-Sheohar
8. The Circle Officer, Sheohar, District-Sheohar
9. The Child Development Project Officer, Sheohar

... .. Respondents

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Appearance :

For the Petitioner : Mr. Devendra Kumar, Adv.
For the Respondents : Mr. Gyan Prakash Ojha, GA-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 06.11.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following reliefs:

“(i) For issuance of a writ in the nature of mandamus
directing and prohibits the Respondents from
constructing any Government construction/building
in the name of Anganwari Centre adjacent of



religious place namely Brahmsthan/Devsthan which situated on Khata No. 1451, Khesera No. 1727 and area 0.23 dec. which is completely within the land, which has been earmarked for the same in the Khatiyani as well as revenue records of the Govt. of Bihar, which is only the religious place for a large population or villages surrounded a large area.

(ii) For further direction to the Respondent Authorities to not encroach upon the holy place, which having high sanctity in the eye of Hindu Community since long and Act of the respondent nothing but violate fundamental enshrine of Article 25 of the Constitution of India.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes



recourse to such remedies, as are otherwise available in law,
before the appropriate forum, the same shall be dealt with, in
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-Rajeev
Kumar

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