

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13889 of 2019

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Gopal Sharan Singh Son of Late Kapil Deo Prasad Singh, Residence of
Village- Wafapur Bandhu, P.O.- Satpura, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Bihar, Patna.
2. The District Magistrate, Hajipur at Vaishali, District- Vaishali.
3. The Sub-Divisional Officer, Hajipur Sadar, District- Vaishali.
4. The Circle Officer, Bhagwanpur Block, District- Vaishali.
5. The Station Head Officer, Bhagwanpur Police Station, District- Vaishali.
6. The President, Bihar State Hindu Religious Trust Board, Vidhayapati Marg, Bihar, Patna.
7. The Superintendent, Bihar State Hindu Religious Trust Board, Vidhayapati Marg, Bihar, Patna.
8. Mithilesh Prasad Singh S/O Late Ram Sanehi Singh, Resident of Village Wafapur Bandhu P.O. Satpura, P.S. Bhagwanpur, District Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Anil Kumar, Advocate Mr.Rajeev Ranjan, Advocate
For the Respondent/s	:	Mr.Manish Kumar (G.P. 4)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-12-2020

Petitioner has prayed for the following relief (s):-



“(A)For issuance of appropriate writ directing and commanding the respondents to save the landed property of ancient Shiv Temple situated in Wafapur Bandhu under Bhagwanpur Block in District Vaishali which are sold and occupied by private persons without their title and authority over the land.

(B) For issuance of any other writ/writs/order/orders to which the petitioner may be found entitled to.”

Learned counsel for the State opposes the petition stating that the petition is misconceived; raises disputed question of fact; is not in public interest; and that the issue can be best resolved at the local level by the appropriate authorities.

We find that the interest of justice should be best served, if petitioner approaches the respondent no.2, namely, the District Magistrate, Hajipur at Vaishali within a period of four weeks for venting out his all rights and grievances also pointing out issues of public interest, including the subject matter of the present petition.

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.



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.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits. All issues are left open.

The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

The petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, also stands
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	16.12.2020
Transmission Date	

