

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1214 of 2020

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1. Randhir Kumar, aged about 31 years, Gender-Male, S/o Sri Yogendra Prasad Singh, Resident of Village- Muraura, P.S. Biharsarif, District- Nalanda.
 2. Suresh Kumar Sinha, aged about 72 years, Male, S/o Late SadaShiv Prasad, Resident of Mohalla- Amhar, District- Nalanda.
 3. Saryug Narayan Verma, aged about 78 years, Male, S/o Late Komal Mahto, resident of Village- Mehna, P.S. Deepnagar, District- Nalanda.
 4. Krishna Prasad, aged about 60 years, Male, S/o Late HardeoSinha, Resident of Mohiuddinpur, P.S. Biharsharif, District- Nalanda.
 5. Ranjeet Kumar, aged about 52 years, Male, S/o Late Nagendra Prasad Singh, Resident of Village- Murarura, P.S. Biharsharif, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Patna Division, Patna.
2. The Inspector General, Registration Department, Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Officer-cum-district Magistrate, Chairman, religious Trust Committee, Nalanda at Biharsharif.
5. Sub-Divisional Officer, Biharsharif, District- Nalanda.
6. The Circle Officer, Biharsharif.
7. The Bihar State Religious Trust Board, Vidyapati Marg, Patna- 800001 through its Chairman.
8. The Chairman, The Bihar State Religious Trust Board, Vidyapati Marg, Patna- 800001.
9. Ramchandra Das @ ramchandra Yadav, s/o- Late Chotan Prasad, R/o Village- Bibrapar, P.O.- Moratalab, P.S.- Rahui, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Singh, Advocate
For the State	:	Mr. Ajay Kumar Sharma, AC to AG
For the Board	:	Mr. Ganpati Trivedi, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioners; learned AC

to Advocate General and learned counsel for the Bihar State

Board of Religious Trusts.



2. The petitioners have moved the Court for the following reliefs:

“(i) To issue a writ in the nature of certiorari to quash the Notification vide memo no. 3763 dated 17.02.206 (Annexure-3) passed by the Chairman of Bihar State Board of Religious Trust, Patna (hereinafter called the Board) whereby and whereunder Under Section-32 of the Bihar Hindu Religious Trust Act, (Hereinafter called the Act) the Trust committee has been constituted for managing administration of Sant Ashram Suraksha Nirman Samittee, Raja Khan, Biharsharif (nalanda) without following the mandatory provision of the Act & rules and without considering the fact that this organization is a NGO registered under section Registration Act, 1860 for socio-Economics Development of Society. It is not a religious organization or Religious Trust and as also this is and notification which has been issued by violating the law of principal of Natural justice.

(ii) To restrain the respondents authority to disturb the smooth functioning and states of the said Trus.

(iii) To hold and declare that said samittee is not a Religious Trust, and so it does not come in the frame of law of this Board.

(iv) To hold and declare that the action of the respondents authorities towards the said trust is bad in law which is generated due to malafide intention.

(v) To hold and declare that action of Respondent Board is without jurisdiction.

(vi) To grant any other reliefs for which petitioner is entitled to have.”

3. After some arguments, learned counsel for the petitioners submitted that he may be permitted to withdraw the



writ petition with liberty to move before appropriate forum.

4. Learned counsel for the respondents do not object.

5. In view thereof, as prayer for by learned counsel for the petitioners, the writ petition stands disposed off with liberty aforesaid.

6. If the petitioners move before the appropriate forum, the same shall be considered in accordance with law.

(Ahsanuddin Amanullah, J)

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