

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5233 of 2019

In
Civil Writ Jurisdiction Case No.12897 of 2019

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1. Captain Surendra Prasad Son of Late Sri Parmeshwar Dayal Resident of Heera Bhawan, M.P. Sinha Road, Kadamkuan, P.O.- Kadamkuan, P.S.- Kadamkuan, District- Patna- 800003 Bihar.
 2. Kumar Neeraj@ Kumar Niraj, Son of Nawal Kishore Prasad Sinha Resident of National Insurance Colony, Mahatma Gandhi Nagar, Kankarbagh, P.O.- Bahadurpur Housing Colony, P.S. Agamkuan, District- Patna- 800026 Bihar.

... .. Petitioners

Versus

1. Bihar State Board of Religious Trusts through its Chairman, Vidyapati Marg, Patna- 800001.
2. Akhilesh Kumar Jain, Chairman, Bihar State Board of Religious Trusts, Vidyapati Marg, Patna- 800001.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Siddhartha Prasad, Advocate
For the Opposite Party/s	:	Mr.Ganpati Trivedi, Sr, Advocate
For the Intervenor	:	Mr. Gajendra Kr. Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 15-03-2021 I.A. No. 01 of 2021 has been filed seeking modification of the order dated 03.03.2021 passed by this Court to the extent that the said order directs the deponent to be present in person in Court today.

Learned counsel for the opposite party no. 2 submits that the order of which contempt has been alleged stands fully complied with.

Learned counsel for the petitioner accepts this position.

In the aforesaid view of the matter, the I.A. No. 01 of



2021 is allowed. Personal appearance of opposite party no.2 is dispensed with.

This Contempt Application has become infructuous.

In course of hearing of this application, Mr. Gajendra Kumar Jha, learned counsel, has sought to intervene by filing an Intervention Petition. It is his submission that he has in fact raised issues with regard to the constitution of the Committee.

Mr. Ganpati Trivedi, learned Senior Counsel for the Bihar State Board of Religious Trusts (hereinafter referred to as the 'Board') as well as Mr. Siddhartha Prasad, learned counsel for the petitioner have jointly opposed the intervention application with a common plea that the intervenor has no locus-standi to file the present Intervention Application in this case. It is their common stand that any person aggrieved by the constitution of the Committee may seek his own remedy in accordance with law but there is no reason for this Court to entertain such application in the contempt petition.

This Court agrees with the views expressed before this Court on behalf of the 'Board' as well as learned counsel for the petitioner. There is no reason for this Court to entertain the Intervention Application.

The Intervention Application is, thus, dismissed as not



maintainable.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

