

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5033 of 2022

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Jagat Narayan Sharma, S/o Nageshwar Ray, R/o 130, Raja Bazar, Sheikhpura,
Phulwari, B.V. College, Phulwari, Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Inspector General of Registrations, Vikash Bhawan, Patna, Bihar
2. The Zonal Manager, Punjab National Bank, R Block, 2nd Floor, Near Chanakya Hotel, Patna.
3. The Branch Manager, Punjab National Bank, Raja Bazaar, Shiekhpora, Patna-14.
4. The Branch Manager, State Bank of India, Raja Bazaar, Shiekhpora, Patna-14.
5. Swami Keshwanand, acting VC, Bihar Sanskritik Vidyapeeth, R/o Raja Bazaar, Patna-14, District- Patna.
6. Mahant Kamal Narayan Das, member, Bihar Sanskritik Vidyapeeth, Patna, Raja Bazaar-14, District- Patna, Home Address- Village- Parsagarh, P.O.- Ekma, District- Patna.
7. Devesh Kant Singh, Member, Bihar Sanskritik Vidyapeeth, Patna, Raja Bazaar-14, Dist- Patna, Home Address- Tara Hospital, Bank Raod, Gandhi Maidan Patna.
8. Swami Hari Naryana Nand, founder cum Chairman, Bihar Sanskritik Vidyapeeth, Tara Hospital, Bank Road, Gandhi Maidan, Patna.
9. Swami Divyanand, Disciple of Swami Hari Narayana Nand Ji Maharaj, R/o Khadi, Lodipur, P.S.- Telhara, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajendra Nath Sinha, Advocate
For the Respondent No.4	:	Mr. Amish Kumar, Advocate
For the Respondent/s	:	Mr.Vikash Kumar (SC 11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 13-05-2022

Heard learned counsel for the parties.

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

1. That this is an application for direction or direction, order or orders by the way of an appropriate writ or writs preferably in the nature of "MANDAMUS" directing and commanding the respondent number , 2 and 3 not to operate Bihar Sanskritik Vidyapeeth bearing account number 4458000100008925 which is in Raja Bazaar Branch Office of Punjab National Bank as well as in account number 3171806666671 of State Bank of India, Raja Bazaar Branch, Patna – 14 [RESPONDENT NO 4] till final outcome of title suit case number 303 of 2021 pending in the court of sub-judge 1 Patna as well as final decisions of Bihar religious trust board final orders under which the dispute of registration by the present managing committee has to decide in light of order of hon ble high court patna.

Further, directing and commanding respondent no 1 IG registration that which circumstances present committee has been allowed to govern during the lifetime of founder cum chairman Swami Hari Narayana Nand of Bihar Sanskritik Vidyapeeth without noticing to IG REGISTRATION, although letter issued by Swami Hari Narayana Nand founder chairman of BSVP dated 15.03.2018 and 20.11.2019 made apparently clear the malicious intentions of respondent no – 5.

Disputed questions of fact has been raised in the present petition which cannot be adjudicated by this Court under its discretionary writ jurisdiction. It appears from the averment made in writ petition that similar issues are pending before Civil Court in title Suit No. 303 of 2021 pending in the Court of Sub-judge-1, Patna, as well as before the Bihar Religious Trust Board, as such this Court is not inclined to entertain the present writ petition and it is, accordingly, dismissed. It is always open for the petitioner to file petition in the pending title suit between

the parties for grant of any interim relief during pendency of the
suit.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA