

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9771 of 2020

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1. Brajbhushan Kumar S/o Ashok Kumar Resident of Paktola Tole Bhatauliya (Ward No.-1), P.S.- Dumra, Distt- Sitamarhi.
 2. Vijay Prasad Yadav S/o Late Ram Yatan Rai Resident of Hanuman Nagar, P.S.- Dumra, Distt- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary (Home), Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. Additional Collector, Sitamarhi.
4. Sub-Divisional Officer, Sitamarhi.
5. Circle Officer, Dumra, Sitamarhi.
6. Bihar State Hindu Religious Trust Board, Vidyapati Marg, Patna-1.
7. Mahant Ram Mohan Das Chela of Late Ram Sundar Das Resident of Pakhtola Tole Bhatolia Math, P.S.- Dumra, Distt- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Adv
For the Respondent/s	:	Mr. Raj Kishore Roy (GP 18)
		Mr. Ganpati Trivedi, Sr. Advocate
		Mr. Yogendra Mishra, Adv

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

14 03-02-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners, Mr. Ganpati Trivedi, learned senior counsel appearing on behalf of Bihar State Board of Religious Trust (in short 'the Board'), learned



counsel for the State of Bihar and Mr. Yogendra Mishra, learned counsel appearing on behalf of Respondent No. 7.

This writ application has been filed for seeking following relief:

1. That this is an application for issuance of writ/s in the nature of mandamus for a direction to the Respondent Bihar State Religious Trust Board, Patna, Bihar to take decision in view of recommendation made by the Collectariate Sitamarhi by letter no 429 dated 09.02.2019 whereby and where under the collector Sitamarhi request to the chairman Bihar State Religious Trust Board for approval for trust committee recommended through the Said letter which has not yet been decided inspite of the order passed in CWJC no 5536/2019 on 22.11.2019 by this Hon'ble Court regarding to take decision for constitution of the trust committee and for any other relief/s for which Petitioner is legally entitled to.

A supplementary counter affidavit has been filed on behalf of the Board from which it appears that this writ application has become infructuous, inasmuch as, the Board has taken decision in view of the recommendation made by the Collector, by letter No. 429 dated 09.02.2019. The decision in the form of the order has been brought on record by way of Annexure-B to the supplementary counter affidavit.

Learned counsel appearing on behalf of petitioners admits that this application has become infructuous in view of the subsequent development but seeks liberty to question the validity of the decision of the Board dated 06.10.2021.



Mr. Yogendra Mishra, learned counsel appearing on behalf of respondent no. 7 submits that respondent no. 7 has approached this Court against the said order 06.10.2021 by filing a writ application.

Be that as it may, since the relief as sought by the petitioners in the present writ application no more survives, it stands disposed of as having become infructuous. It is made clear that we have not gone into the correctness of the decision taken by the Board as contained in the order dated 06.10.2021.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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