

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12302 of 2021

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1. Late Kanni Ram Kejriwal Charity Turst Dharmsala through its Secretary Lallan Prasad Bhabua, P.S. Bhabua, District- Kaimur at Bhabua.
 2. Lallan Prasad, aged about 65 years, male, Son of Late Sita Ram Lal Resident of Bhabua Ward No. 22, Chitragupt Marg, P.S. - Bhabua, District- Kaimur at Bhabua.

... .. Petitioners

Versus

1. The State of Bihar through the District Magistrate, Kaimur at Bhabua.
2. The District Magistrate, Kaimur at Bhabua.
3. The Deputy - collector of Land Reforms, Kaimur at Bhabua.
4. The Sub-Divisional Officer, Bhabua, District- Kaimur.
5. The Bihar Hindu Religious Trust Board through its Chairman, Patna (Bihar).

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Rajesh Kumar Mishra, Adv.
For the Respondents	:	Mr. Asif Kalim AC to AAG-12
For the Bihar Hindu Religious Trust Board	:	Mr. Ganpati Trivedi, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

- 2 29-03-2022 The petitioners claim to be a Trust registered under Bihar Hindu Religious Trusts Act, 1950. This application has been filed seeking quashing of a report dated 18-04-2021, issued jointly by the Deputy Collector of Land Reforms, Kaimur at Bhabua and Sub Divisional Officer, Bhabua. It is the petitioners' case that the said officials do not have any jurisdiction to enquire into any dispute relating to the properties of the Trust. It



has been argued that the said report make certain recommendation which are prejudicial to the interest of the Trust.

2. Learned counsel appearing on behalf of the petitioners submits that this aspect of the matter has been brought to the notice of the Bihar State Board of Religious Trust, but the Board has not taken due notice of the petitioner's grievance.

3. In our opinion, exercising writ jurisdiction under Article 226 of the Constitution of India, we are not inclined to interfere with the said enquiry report as nothing has been brought to our notice that based on the said report, which according to the petitioner, is incompetent any action has been taken.

4. We, accordingly, disposed of the writ application with the observation that the petitioners shall be at liberty to take the plea before appropriate forum/authority to the effect that the report is *void ab initio*, the same having been submitted by the authorities not competent to conduct such enquiry if any situation so warrants. The petitioners shall also be at liberty to approach appropriate forum in case the impugned enquiry report is given effect to by initiating any action. We make it clear that



any observation made in the present order shall not be treated as this Court's opinion on the submissions advanced on behalf of the petitioners.

5. This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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