

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13364 of 2021

1. Chandradeep Kumar , aged about 63 years, gender-male, Son of Late
Brahmdeo Das R/o - Village - Gobarsahi, P.S. Sadar, District- Muzaffarpur
2. Surjdeep Kumar Das, aged about 65 years, gender-male, Son of Late
Brahmdeo Das R/o - Village - Gobarsahi, P.S. Sadar, District- Muzaffarpur

... .. Petitioners

Versus

1. The State of Bihar through the Revenue Secretary, Revenue Department,
Government of Bihar, Patna.
2. The Chairman, Bihar State Board of Religious Trust, Vidyapati Marg, Patna.
3. The Deputy Collector Land Reforms Officer, Muzaffarpur.
4. The Sub Divisional Officer, Sadar, Muzaffarpur.
5. The Circle Officer, Mushahari, Muzaffarpur.

... .. Respondents

Appearance :

For the Petitioners	:	Ms. Mahasweta Chatterjee, Adv.
For the Respondent-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)

4 25-01-2022 This matter has been taken up for hearing online
because of *COVID-19* pandemic restrictions.

2. The petitioner is aggrieved by an order dated
10.03.2021, passed by the President of the Bihar State Board of
religious Trust (for short ‘the Board’) whereby plot no. 531 of
Khata No. 227, Mouza Gobarsahi, in the district of Muzaffarpur



has been declared to be property of a public trust.

3. It appears that subsequent to passing of the said order dated 10.03.2021, another order has been passed by the President on 23.06.2021 (Annexure-9) under Section 32 of the Bihar Hindu Religious Trusts Act, 1950 (for short 'the Act') settling scheme for proper administration of the religious trust in question by constitution of an *ad hoc* Committee. It is evident from the said order that the disputed plot i.e. plot No. 531, as described above, has been excluded from the said Scheme under Section 32 of the Act with specific stipulation that decision in respect of the said plot and two other plots, shall be taken after receipt of report from the Sub Divisional Officer.

4. Mr. Ganpati Trivedi, learned senior counsel appearing on behalf of the Board has submitted that after passing of the subsequent order dated 23.06.2021, the impugned order dated 10.03.2021 stands modified. The petitioner shall, thus, have the liberty to establish his right in respect of the said plot no. 531.

5. Considering the aforesaid stand taken on behalf of the Board, this writ application is disposed of with an observation that till a decision is taken by the Board in the light of the observations made in the order dated 23.06.2021, the



impugned order dated 10.03.2021 shall not be given effect to.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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