

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15264 of 2021

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Ambika Ram, Son of Late Barhan Ram, Resident of Village-Deora Math, P.S. Ghosi,
District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Govt. of Bihar, Patna.
2. The Bihar State Board of Religious Trusts through its Chairman, Vidyapati
Marg, Patna.
3. The Chairman, The Bihar State Board of Religious Trusts, Vidyapati Marg,
Patna.
4. The District Magistrate, Jehanabad.
5. The Superintendent of Police, Jehanabad.
6. The Officer-In-charge, Ghosi Police Station, Jehanabad.
7. Vijayanand Puri @ Vijay Kumar Singh, Son of Late Keshav Ram Puri,
resident of Bhaktini Lodge, Bakerganj, Daldali Road, P.S. Kadamkuan,
Town and District - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Atul Shankar, Advcoate
For the Respondent/s : Mr.Manoj Kumar, A.C. to G.P.-4

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 04-04-2022 It is the petitioner's case that there is a Deora Math in

Village Deora under Ghosi Police Station in the District of

Jehanabad, of which respondent No.7 has fraudulently declared

himself to be Mahanth Brahmadeo, Chela of Mahanth

Shyamnand Puri. It is precisely the petitioner's case that

respondent No.7 is an imposter and he is not Mahanth

Brahmadeo.



The petitioner has pleaded that name of respondent No.7 is, in fact, Vijyanand Puri alias Vijay Kumar Singh, son of Late Keshav Ram Puri, resident of Bhaktini Lodge, Bakerganj, Patna.

This writ application has been filed seeking quashing of an order dated 15.02.2021 passed by the President, Bihar State Board of Religious Trusts ('the Board', for short) whereby the petitioner's complaint against respondent No.7, who, according to the petitioner, is an imposter functioning as Mahanth of the said Trust, has been rejected.

Assailing the order passed by the President of the Board, learned counsel appearing on behalf of the petitioner has submitted that despite cogent and adequate materials having evidentiary value available before him, the President of the Board has rejected the petitioner's complaint without duly considering those materials. He has submitted that if this Court exercising writ jurisdiction under Article 226 of the Constitution considers and re-appreciates the evidence, as were available before the President of the Board, it would come to an irresistible conclusion that respondent No.7 is, in fact, an imposter.

We are not at all convinced with the aforesaid



submission made on behalf of the petitioner. It is purely a question of fact whether respondent No.7 is an imposter or not, which can be determined only on the basis of evidence to be adduced in appropriate proceeding, but certainly not in a proceeding under Article 226 of the Constitution of India.

It was open for the petitioner to have brought a declaratory suit in relation to identity of Mahanth Brahmadeo (respondent No.7), who, according to the petitioner, is Vijyanand Puri, and that he is acting as Mahanth of the Trust as an imposter.

We do not find any merit in this writ application, considering the fact that it involves disputed questions of fact. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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