

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.316 of 2022

1. Sonu Kumar, Son of Baliram Sharma Resident of Mohalla - Naya tola, Police Station - Gandhi Maidan, District- Patna.
2. Babita Devi Wife of Satyanand Prasad Resident of Near Satsang Nagar, Police Station - Gondapur, District- Nawada.
3. Sachin Kumar Son of Diwakar Thakur Resident of Village - Mathiya Mohan, Police Station - Pach Pakri, District- East Champaran.
4. Veena Kumari Wife of Ranjeet Ranjan Resident of Mohalla - Near Bus Stand, Sanjay Nagar, Road no. 7 Police Station - Phulwari, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Senior Superintendent of Police, Bhagalpur.
5. The Sub - Divisional Magistrate, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr.Prabhat Kumar Verma (AAG-3)

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 : 13-01-2022

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

“That this writ petition in the form of Public Interest Litigation is being filed on behalf of the petitioners in representative capacity for issuance of a writ in the nature of mandamus, commanding and directing the respondent

authorities to stop the demolition of Guru Niwas Bhawan i.e. the temple and the old original residential structure of Sadguru Maharshi Mehin Paramhan Ji Maharaj situated within the Ashram and a further direction be given to the respondent authorities specially the respondent no. 3 to monitor the construction work in accordance with the approved plan/map by the all India Santmat-Satsang Maha Sabha (hereinafter referred to as "Maha Sabha") situated in the Meharisi Mehi Asharam Kuppa Ghat, (hereinafter referred to as "Asharam") Bhagalpur, and/or a further direction also be given that there should be no change in the original structure of Guru Niwas Bhawan and demolished part of the same must be rebuilt/restore in its original structure and to provide the police protection to the Guru Niwas Bhawan of Meharisi Mehi Asharam Kuppa Ghat, Bhagalpur and/or for issuance of such other writ(s), order(s) or direction(s), to which the petitioners may be found legally entitled to in the facts and circumstances averred hereinafter."

After the matter was heard for some time, learned counsel for the petitioners, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned i.e. **(Respondent No. 3, the District Magistrate, Bhagalpur)** or any of the statutory authority to consider and decide the representation which the petitioners shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioners, the authority

concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioners shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioners take recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in

accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioners to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	