

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11528 of 2017

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Sri Sri 108 Baba Maneshwar Nath Ji Mahadev (Mahanth Asthan), S/o Late Upendra Narayan Mishra, Village Gorhail, through its Secretary Sri Ram Kumar Mishra, Resident of Village- Tumoul, P.S. Ghanshyampur, District Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Darbhanga.
2. The Bihar State Hindu Religious Trusts Board, through its Superintendent, Vidyapati Marge, Patna 800001.
3. The Senior Superintendent of Police, Darbhanga.
4. The Circle Officer Ghanshyampur cum Ex- Officio, Chairman of the Trust Committee of Baba Maneshwar Nath Mandir (Mahanth Asthan Gorhail) Ghanshyampur, Distt.- Darbhanga.
5. The S.H.O. Ghanshyampur, Darbhanga.
6. The District Magistrate, Darbhanga, at Darbhanga.
7. The District Magistrate, Madhubani, at Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Suresh Pd Singh No.1, Advocate
For the Respondent/s	:	Smt. Kumari Amrita
For Religious Trust Board	:	Mr. Ganpati Trivedi, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 26-06-2023

Interlocutory Application No. 2 of 2023

The present I.A. has been preferred by the Circle Officer, Ghanshyampur in which in paragraph 3, it has been stated that she joined the post only on 01.06.2023 and the last reply was filed by her predecessor, Mr. Ajay Rathour who has since been transferred as Circle Officer, Alinagar in the district of Darbhanga.

It has further been stated in paragraph 4 that the



encroachment relating to the present writ petition has been removed.

Taking into account the aforesaid facts/prayer by the Circle Officer, Ghanshyampur, I.A. No. 2 of 2023 stands allowed.

A cost of Rs. 5,000/- which was to be paid by the Circle Officer, Ghanshyampur as per the last order dated 19.06.2023 stands waived.

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Pursuant to the last order dated 19.06.2023, the Circle Officer, Ghanshyampur, Ms. Nilofar Malika is present in the Court and it is her categorical statement that the encroachment has been removed from the area in question relating to writ petition. It has been further submitted on her behalf by the learned State Counsel that whatever remains, the same shall be positively removed within a week.

Learned counsel for the petitioner submits that if the said submission is put forward by the Circle Officer, Ghanshyampur, herself, he is satisfied, but further submits that in case, the statement put forward by the State Counsel is wrong, he may be permitted to file contempt petition.

The petitioner always has the liberty to take



appropriate steps, if the order of the Court stands violated.

Accordingly, the writ petition stands disposed of, on the averment of the Circle Officer, Ghanshyampur that the order dated 02.07.2016 passed by the Superintendent Bihar State Religious Trust Board stands implemented.

The presence of Circle Officer, Ghanshyampur is dispensed with.

(Rajiv Roy, J)

Jagidsh/kiran/-

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