

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11114 of 2017

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Bhola Das Son of Sri Prabhu Das Resident of Village - Areraj, Ward No. - 10,
P.O. - Areraj, P.S. - Areraj, District - East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Motihari, East Champaran.
2. The Collector, Motihari, East Champaran.
3. The Sub-Divisional Officer, Areraj, East Champaran.
4. The Circle Officer, Areraj, East Champaran.
5. Bihar Hindu Religious Trust Board, Patna through its Administrator Vidyapati Marg, P.S. Kotwali, Patna.
6. Administrator, Bihar Hindu Religious Trust Board, Vidyapati Marg, P.S. Kotwali, Patna.
7. The Superintendent, Bihar Religious Trust Board, Vidyapati Marg, P.S. Kotwali, Patna.
8. Mahanth Ravi Shankar Giri, Chela of Late Mahanth Shivanand Giri, Areraj Math resident of Village - Areraj, P.O. - Areraj, P.S. - Areraj, District - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar No.III- Advocate
For the State	:	Mr. Sunil Kumar Mandal-SC-3
		Mr. Arjun Prasad- AC to SC-3
For the Religious Trust	:	Mr. Ganpati Trivedi- Sr. Advocate
		Mr. Madan Mohan- Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner, learned

counsel for the State and learned senior counsel for the

Bihar Hindu Religious Trust Board.

The present writ application has been filed seeking

a direction upon the respondent nos.5, 6 and 7 to remove

the respondent no.8 from the post of Mahanth of Sri



Someshwar Nath Mahadev Mandir and Math Trust, Areraj, East Champaran, which is a trust registered under the Bihar Hindu Religious Trust Board, Patna.

The learned counsel for the petitioner submits that respondent no.8, being a Mahanth of the trust, is misappropriating the funds of the trust for creating a personal property.

The learned counsel next submits that this case was taken on 14.03.2023, when the petitioner was directed to file a supplementary affidavit bringing on record the documentary evidence to substantiate that the respondent no.8 is indulging in misappropriation of the funds of the *Math* as it was submitted by the learned senior counsel appearing for the Board that the allegations are in realm of allegations and from perusal of the complaint made by the petitioner before the competent authority, it would manifest that no specific allegation has been alleged, rather the allegations are general and omnibus in nature.

The learned counsel for the petitioner submits that in compliance of the order dated 14.03.2023, has filed a



supplementary affidavit bringing on record the letter of the Collector contained in letter no.327 dated 08.07.2017 addressed to the President of the Board bringing to his notice about the dispute which is going on in the Math, in question and the manner in which the respondent no.8 is acting.

The learned counsel for the petitioner submits that despite letter dated 08.07.2017 (Annexure-12) to the supplementary affidavit written by the Collector to the President of the Board, no action has been taken by the President of the Board against the respondent no.8. The learned counsel submits that since the property of the Math is being misappropriated, as such, a committee be constituted by the Board to ensure that the property of the Math is not wasted.

The learned senior counsel for the Board submits that in the event, if the petitioner files a fresh representation addressed to the President of the Board, appropriate action in accordance with law shall be taken.

Accordingly, the writ application is thus disposed of



with a direction to the petitioner to file a fresh representation before the President of the Board bringing to his notice that as to how misappropriation of the property of the *Math*/Temple in question is being done by the respondent no.8 along with the letter of the Collector. In the event, if any representation by the petitioner is filed before the President of the Board, the President of the Board shall try to expeditiously disposed of the representation of the petitioner, preferably within a period of four months from the date of receipt/production of the representation in accordance with law.

(Satyavrat Verma, J)

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