

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13629 of 2016

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Ramanand Shastri @ Sri Ramanand Das , son of Thakur Das, Resident of
Mauji Harisingh, P.O. Sitalrampur, P.S.-Bakhari, District-Begusarai.

... .. Petitioner/s

Versus

1. Bihar State Religious Trust Board Vidyapati Marg, Patna-800001
2. Superintendent, Bihar Religious Trust Board, Vidyapati Marg, Patna-800001.
3. Mahanth Madan Das, allegedly recognized as Mahanth of Kabir Math, Village-Mauji, P.O.- Shitalrampur, District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rama Nand Poddar, Advocate
For the Respondent/s	:	Mr.Ganpati Trivedi, Sr. Advocate
For respondent no.3	:	Mr. B. N. Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 27-06-2023 Heard learned counsel for the petitioner and learned Senior Counsel appearing on behalf of Trust as also learned counsel appearing on behalf of respondent no.3.

The petitioner has prayed for the following relief:

for the quashing of the Registration No. 3613 issued by the respondent no.1 as also for treating the 'Math' as Public Math, as without any enquiry it issued the letter no. 906 dated 27.5.2016.

The present application has been filed with the simple prayer to quash the notice dated 27.5.2016 by which the petitioner was asked to file his explanation as to why he has illegally sold out the land of the Trust.



This Court fails to appreciate how can a notice can be challenged in a writ proceeding. The petitioner could have appeared before the Religious Trust Board along with supporting documents and could have presented its case so that an appropriate order can be passed by it.

Learned counsel appearing on behalf of the Trust submits that in view of the fact that the petitioner chose not to appear in the proceeding, the same was dismissed as ex-parte.

Learned counsel for the petitioner submits that he is ready to appear before the Board with supporting documents to convince them that it is a private Trust and not public as being painted.

Learned Senior Counsel for the Trust do not have any objection to it.

Learned counsel appearing on behalf of respondent no.3 on the other hand submits that contrary to the claim made by the petitioner, it is a public Trust.

This Court will not go into the merit of the case and it is for the Bihar Religious Trust Board to finally decide the matter once the parties are before it.

The writ petition is disposed of with an observation that if the petitioner, prefers an application/representation within



a period of four weeks from today with the documents, the respondent Trust Board shall be duty bound to take up the matter to its logical conclusion after hearing all the necessary parties including the respondent no.3.

(Rajiv Roy, J)

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