

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4805 of 2023

-
-
1. Kamal Kishor Pathak, Son of Late Phulena Phatak. At present Shebait Shiv Temple Baba Garibnath, Muzaffarpur. Resident of Sarswati Press Lane, Purani Bazar, P.S. - Town, District - Muzaffarpur.
 2. Baidnath Pathak, Son of Late Vishwambhar Pathak, At present Shebait Shiv Temple Baba Garibnath, Muzaffarpur. Resident of Sarswati Press Lane, Purani Bazar, P.S. - Town, District - Muzaffarpur.
 3. Amarnath Pathak, Son of Shankar Pathak, At present Shebait Shiv Temple Baba Garibnath, Muzaffarpur. Resident of Sarswati Press Lane, Purani Bazar, P.S. - Town, District - Muzaffarpur.
 4. Himanshu Shekhar, Son of Sri Rajkumar Pathak, At present Shebait Shiv Temple Baba Garibnath, Muzaffarpur. Resident of Sarswati Press Lane, Purani Bazar, P.S. - Town, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The Bihar State Board of Religious Trust through the Executive Officer-cum-Administrator, Vidyapati Marg, Patna.
2. The Executive Officer-cum-Administrator, Bihar State Board of Religious Trust, Vidyapati Marg, Patna.
3. The District Magistrate cum Collector, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Uday Prakash Shrarma, Advocate
For the Respondent/s	:	Mr. Virendra Prasad Singh, Advocate
For the Religious Trust	:	Mr. Ganpati Trivedi, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 28-08-2023

Heard Mr. Uday Prakash Sharma, learned counsel appearing on behalf of the petitioners. The Bihar State Board of Religious Trust is represented by learned senior counsel, Mr. Ganpati Trivedi and the State is represented by the learned counsel, Mr. Virendera Prasad Singh.

2. The petitioners, who claims themselves as Shebait



of the temple Baba Garib Nath, approached before this Court seeking quashing of the notification contained in Memo No. 1777 dated 04.07.2006, alleging that the aforementioned order infringes the rights of the petitioner as Shebait to manage the temple in effective religious manner.

3. After some argument, learned counsel for the petitioners seeks permission to withdraw the present writ application with a liberty to avail the remedy as provided under Section 48 of the Bihar Hindu Religious Trust Act.

4. Learned counsel for the respondents have no objection.

5. In view thereof, the present writ application stands disposed of with a liberty to the petitioner to take appropriate remedy as provided under the law.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.08.2023.
Transmission Date	NA

