

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8780 of 2019

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1. Shivji Ram S/o- Somari Ram R/o Village- Chitutola, P.O. and P.S.- Thawe, District- Gopalganj.
 2. Ashok Pandey S/o- Devnandan Pandey R/o Village- Chitutola, P.O. and P.S.- Thawe, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Bihar State Religious Trust Board through its President at Vidyapati Marg, Patna.
3. The President, Bihar State Religious Trust Board at Vidyapati Marg, Patna.
4. The Superintendent of Bihar State Religious Trust Board.
5. The Administrator, Bihar State Religious Trust Board.
6. The Collector-cum- District Magistrate, Gopalganj.
7. The Sub Divisional Officer Gopalganj.
8. Pradeep Kumar Das @ Mahant Pradeep Kumar @ Pradeep Kumar S/o Late Tukar Ram, R/o Village-Bakhari, P.O.-Moniyara, P.S.-Kuchaikote, Dist-Gopalganj. At present Ram Naresh Kumar, Behind Officers Colony, P.O. and P.S.-Thawe, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Pandey, Advocate
For the Respondent/s	:	Mr. S.K. Mandal (SC-3)
For the Bihar State Religious Trust Board	:	Miss Aishwarya, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 31-07-2023 Heard learned counsel for the petitioners and the respondent, Bihar State Religious Trust Board, Patna as also learned counsel for the respondent no. 8.

This order be read in continuation of the earlier order passed on 22.06.2023.

A counter-affidavit has been filed on behalf of the Bihar State Religious Trust Board (respondent nos. 2-4) and learned counsel, Miss Aishwarya has brought attention of this Court to paragraph 24 which read as follows:



‘That owing to continuing dispute between Pradeep Kumar Das and the members of the Trust Committee, a new trust committee has already been constituted by the board and the President of the Board (vide order 13.01.2021) specifically held that the said Pradeep Kumar Das would be entitled to receive the amount fixed i.e. Rs. 6,000/- per month only except fruits, sweets and small amounts which is offered to the deity at the time of worships. It was further held that he would be discharging his duties as Pujari therein only.’

She as such submits that a clarificatory order has already come on 13.01.2021 (Annexure-E to the counter affidavit).

Learned counsel for the petitioners has taken this Court to the said order dated 13.01.2021 to show that even after acknowledging that a Committee has been constituted to take care of the temple, still for the reasons best known, he has been allowed to take Rs. 6,000/- per month.

It is his submission that in the background of the orders that has passed by the Trust Board, now in 2023, on the basis of fresh facts as also the fact that the Trust Board itself are confused lot, a fresh order is required.

Learned counsel appearing for the Trust Board



submits that already clarificatory order is there and the earlier order by which he was allowed to take the amount between 6:00 a.m. to 6:00 p.m. was missing, the petitioner is not entitled to any relief.

Lots of water has flown down the Ganges and it is time for the Trust Board to take a fresh look in the matter as the respondents, themselves have made mess of the concerned temple by accepting each and every prayer/demand of the respondent no. 8.

In that view of the matter, both the orders dated 11.10.2018 (Annexure-1 Series to the petition) as also order dated 13.01.2021 (Annexure-E to the counter-affidavit) stands quashed.

The petitioner to move before the Trust Board within four weeks from today who shall after hearing all the concerned parties pass a fresh order within a period of three months from the date of the receipt of the application of the petitioner.

The writ petition stands disposed of with the aforesaid observations.

(Rajiv Roy, J)

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