

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5869 of 2023

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Amvika Prasad S/o Late Ramagya Prasad, Sakin- Marwari Mohalla Ward No. 14, P.O.- Narkatiaganj, Pin- 845455 Police Station- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

1. Chairman, Bihar State Religious Trust Board Vidyapati Marg, Patna- 800001
2. Radha Bihari Ojha the then Circle Officer, Narkatiaganj, P. Champaran by- Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
3. Pt. Satyanarayan Shukla S/o Late Suryabali Shukla, Self styled priest cum manager Shri Satyanarayan Bhagwan Temple Mukhiya Ji Chowk Narkatiaganj, P. Champaran.
4. Upendra Pandey S/o Late Jatashankar Pandey, Address- Pandey Tola, Narkatiaganj, West Champaran The then Priest of Shri Satyanarayan Bhagwan Temple Mukhiya Ji Chowk Narkatiaganj, P. Champaran.
5. Sub Divisional Officer, Narkatiaganj, P. Champaran.
6. Vishwanath Prasad Jhunjhunwala Trustee, Shri Satyanarayan Bhagwan Temple, Address- Lal Bazar, Near Power House PO- Bettiah, PS- Bettiah, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amvika Prasad, In-Person

For the Respondent/s : Mr. P.K. Shahi, AG

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT



(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

Date : 25-04-2023

Heard learned counsel for the petitioner and learned counsel for the State.

2. The instant writ proceedings as a Public Interest Litigation has been instituted alleging illegal and unauthorised activities of the private party respondent No. 3 vis-a-vis a temple.

3. The averments in the writ petition manifests the petitioner's personal interest, claiming to be a tenant in the premises of the temple, based on which there is private civil dispute between him and the private party respondent No. 3.

4. There is also an order of *status quo* passed in Title Suit No. 303 of 2018, dated 13.02.2023, by the Sub-Judge, First, Narkatiaganj in favour of private party respondent No. 3 as per averments made in the writ application.

5. The petitioner also seeks quashing of this order of *status quo* passed in Title Suit No. 303 of 2018.

6. The petitioner cannot be permitted to bypass the civil remedies available against the order of *status quo* based on disputed questions of facts and evidence by invoking the discretionary writ jurisdiction of this Court under Article 226 of the Constitution of India.



7. Having regard to the above noted circumstances and without recording any opinion on the merits of the petitioner’s claim, this Court is of the clear and unambiguous opinion that this is a glaring example of abuse of the Public Interest Litigation jurisdiction.

8. Accordingly, the writ application stands dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

rajkishore/-

AFR/NAFR	N/A
CAV DATE	N/A
Uploading Date	04.05.2023.
Transmission Date	N/A

