

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7394 of 2022

Shri Ramchandra Jee, Lakshman Jee and Janki Jee, Thakurbari through the
Sevait Shri Girish Chandra Jha aged about 68 years, gender- Male, Son of
Late Hari Mohan Jha, Village and P.O.- Bhramarpur, P.S.- Bihpur, District-
Bhagalpur. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Bihar State Board of Religious Trust, Vidyapati Marg, Patna- 800001
through the Chairman.
3. The President, Bihar State Board of Religious Trust, Vidyapati Marg, Patna-
1.
4. The District Magistrate, Bhagalpur.
5. The Sub Divisional Officer, Naugachiya, District- Bhagalpur.
6. The Circle Officer, Narayanpur, District Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kamal Nayan Choubey, Sr. Advocate Mr.Satyendra Kumar Jha, Advocate Mr. Kumar Shubham, Advocate
For the Respondent/s	:	Mr.Raj Kishore Roy (Gp18)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 07-08-2023 Heard learned counsel for the petitioner and the

State.

The present petition has been preferred for the
following relief:

- (i) for issuance of Writ in the nature of
Certiorari for quashing the notification
contained in memo No. 08 dated 02.04.2022
issued under the signature of (Respondent



No. 3) the President of Bihar State Board of Religious Trusts, Vidyapati Marg, Patna - 800001 where by and where under the President has constituted Trustee Committee for the Management of the Property and development of Trust in view of the provisions under section 32 of the Bihar Hindu Religious Trust Act, 1950;

(ii) for issuance of writ in the nature of mandamus directing the Respondent Bihar State Board of Religious Trust not to impose any provisions of Act upon Shri Ramchandra Jee, Lakshman Jee & Janki Jee Thakurbari, Bharamarpur;

(iii) for cancelling the Registration, if any of the Trust of the Petitioner vide registration No. 4566.

(iv) for such other relief(s), direction(s) to which the petitioner may be entitled to the facts and circumstances of this case.

From the facts on record, it is clear that the same was constituted only for a period of one year vide memo no.



08 dated 2.4.2022 which now naturally comes to an end.

In that view of the matter, the Religious Trust Board is duty bound to constitute a new committee after issuance of "Aam Suchna" among the citizen/local people and is also see to it that each and every member of the committee i.e. fixed up do not any criminal antecedent.

The Collector, Bhagalpur as also the Sub Divisional Officer, Bhagalpur (sadar) can also be requested to do the needful so that a permanent committee is constituted by the Trust Board in its meeting held with the Chairman presided it over and the other members attending it.

As stated above, the period of the committee in question has already lapsed with the passage of one year and as such a permanent committee be constituted within a period of three months from today.

The writ petition stands disposed of.

Needless to say that the Trust Board is duty bound to evaluate the performance of the committee inasmuch as whether the purpose for which the committee is/are constituted is serving towards its development of the concerned 'Math'/Temple is done.



The petitioner like any other prominent citizen will
have the right to appear before the Board to present its view.

(Rajiv Roy, J)

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