

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10304 of 2023

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Satish Chandra Jha Son of Shiv Chandra Jha, Resident of Village- Ramauli,
P.S.- Bahera, District- Darbhanga, at present Principal, Lakshmiwati Sanskrit
College, Sarisab Pahi, District- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga through it's Registrar.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The District Magistrate, Madhubani.
5. The Sub-Divisional Officer, Madhubani.
6. The Additional Collector, Revenue, District- Madhubani.
7. The District Education Officer, (Secondary Education), Madhubani.
8. The Deputy Collector Land Reforms, Madhubani.
9. The Circle Officer, Pandual, District- Madhubani.
10. The Lakshmishwar Academy plus2 School, Sarisab-Pahi through the Principal, P.S.- Sarisab- Pahi, District- Madhubani.
11. The Principal, Lakshmishwar Academy plus2 School, Sarisab-Pahi, P.S.- Sarisab- Pahi, District- Madhubani.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Kripa Nand Jha, Advocate
For the State	:	Mr.Raj Kishore Roy (GP-18)
For the KSDS University :		Mr. Deepak Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioner, learned

counsel for the State as also learned counsel for the Kameshwar

Singh Darbhanga Sanskrit University (hereinafter referred to as

the ‘University’).

2. Petitioner in the present case is seeking a direction

commanding the respondents to undertake the settlement



process of trust property said to have been donated to the college and Respondent No. 10.

3. Learned counsel for the petitioner has taken this Court through a letter dated 11th July, 1996 written by the Sub-Divisional Officer, Sadar Madhubani-cum-Chairman of Lakshmiwati Sanskrit College to the District Education Officer, Madhubani from which it appears that there is some dispute over apportionment of the income received by the trust between the college and school. It seems to be a dispute in the nature of recovery of money of the college.

4. In the opinion of this Court, a dispute over the apportionment of the income of the trust by and between the two institutions cannot be taken up in a writ application. This is in the nature of recovery of money which is being tried to be enforced through extraordinary writ. The writ application as framed cannot be entertained.

5. It is disposed of with liberty to the petitioner to seek his remedy, if any, available to him in accordance with law.

(Rajeev Ranjan Prasad, J)

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