

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10980 of 2023

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Rakesh Kumar Son of Late Rama Shankar Ray Resident of Mohalla- Ward
No. 10, Hajiapur, P.S.- Nagar Thana Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The Bihar State Religious Trust Board through its Chairman having its office at Vidyapati Marg, Patna.
2. The Chairman, Bihar State Religious Trust Board, Vidyapati Marg, Patna.
3. The District Magistrate, Gopalganj.
4. The Sub Divisional Officer, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satyam Shivam Sundaram, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha, SC-19
For the Board	:	Mr. Ganpati Trivedi, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 19-09-2023

Heard Mr. Satyam Shivam Sundaram, learned counsel
appearing on behalf of the petitioner, Mr. Ganpati Trivedi,
learned senior counsel for the Bihar State Religious Trust Board
and Mr. Rishi Raj Sinha, learned SC-19.

2. The petitioner claimed to be member of the Trust
Committee constituted by the Religious Trust Board vide Memo
No. 3829 dated 15.11.2021 filed the present writ petition
seeking a direction upon the Bihar State Religious Trust Board
(hereinafter referred to as the “BSRTB”) to constitute a new
Trust Committee for proper administration and protection of the



property of the Religious Trust namely Sri Ram Janki Mandir, Haziapur Road, Ward No. 11, District – Gopalganj. The petitioner also sought a direction to take an appropriate action against the erring members/officers particularly the Chairman of Trust Committee for embezzlement of the Trust Property.

3. It is submitted on behalf of the petitioner that in exercise of power under Section 32 of the Bihar Hindu Religious Trust Act, 1950, a Trust Committee had been constituted vide Memo No. 3829 dated 15.11.2021 for proper administration of Sri Ram Janki Mandir and a scheme has also been formulated for the said purpose. The aforesaid trust committee was constituted for the period of one year, consisting of 11 members, including the SDO, Gopalganj as Ex-Officio Chairman. Clause 6 of the said notification clearly stipulated that trust committee/officer/member shall have no power to transfer, exchange, sell, mortgage and lease of the property of the Religious Trust or to misuse of the trust property.

4. It is further submitted that the period of Trust Committee came to an end on 15.11.2022 but despite the fact, the Trust Committee has been discharging its function in most illegal and arbitrary manner and went to the extent of handing over the trust property to antisocial elements, rented out the



property for personal gain by constructing shops within the temple premises and in this way amassed huge property illegally.

5. The irregularities committed by the Ex-Officio Chairman and the members of the Trust Committee has been brought to the knowledge of the Chairman, BSRTB vide Annexure – 9 to the writ petition on 07.07.2023, however, till date no action has been taken, which embolden the members of the Trust Committee, who are engaged in plundering the trust property and thus, the irregularities became rampant.

6. On the other hand, learned counsel for the respondents submits that since the petitioner has already filed a detailed representation before the Chairman, BSRTB, the same shall be considered and necessary order would be passed.

7. Having considered the nature of the grievance and the submissions made on behalf of the parties, the present writ petition stands disposed of with a direction to the respondent no. 2 to consider the complaint/grievance of the petitioner, in view of the averments made in his representation dated 07.07.2023, as also the contentions raised in the present writ petition and take appropriate action in the matter after making proper enquiry.

8. It is further directed that entire exercise must be



completed within a period of eight weeks, from the date of receipt/production of a copy of this order.

9. In case any of the persons would be found indulge in irregularities, the respondent no. 2 shall be obliged to take appropriate action against him, in accordance with law.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.09.2023
Transmission Date	NA

