

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13709 of 2022

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Dharmendra Prasad Son of Ramageya Parasad, resident of village - Kahla,
Hazari Tola, P.S. - Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

1. The Bihar State Board of Religious Trust Vidyapati Marg, Patna through its Chairman.
2. The Chairman, the Bihar State Board of Religious Trust Vidyapati Marg, Patna.
3. The Superintendent of Bihar State Board of Religious Trust, Vidyapati Marg, Patna.
4. Raghunath Das, son of not Known, resident of village - Kahla, P.S.- Barauli, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Md. Anisur Rahman, Advocate.
For the Respondent/s : Mr. Shekhar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 21-08-2023

Heard Md. Anisur Rahman, learned counsel for the petitioner and Mr. Shekhar Singh, learned counsel for the Bihar State Board of Religious Trust.

2. The petitioner by invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, seeks quashing of the Letter No.3006 dated 06.09.2021 issued by the respondent no.3 by which the respondent no.4 has been directed to submit budget of previous years and also to deposit Trust fees in the office of the respondent no.1 with regard to Ram Janki Mandir situated



in village Kahla, P.S. Barauli, District Gopalganj registered under Registration No.118 as contained in Annexure-3 to this application. He further sought a direction upon respondent authorities to treat the petitioner as Mahanth of the Ram Janki Mandir.

3. The petitioner claiming himself to be Mahanth of Ram Janki Mandir as authorized by the then Mahanth Rajendra Das through *Mukhtarnama* submits that issuance of such notice to the private respondent no.4 by the Bihar State Board of Religious Trust is creating a right, entitlement and interest in his favour and as such being aggrieved, the present writ application.

4. At the this juncture, learned counsel for the respondent Bihar State Board of Religious Trust submits that since the petitioner is raising a disputed question of facts, it ought not to be decided in prerogative writ jurisdiction.

5. Considering the submissions made on behalf of the parties and taking into consideration, the nature of the grievance, the present writ application stands disposed of with a liberty to the petitioner to raise his dispute before the Chairman Bihar State Board of Religious Trust respondent no.2 along with the relevant document in support of his claim.



6. It is needless to observe that if the petitioner files representation along with necessary documents in support of his claim, the same shall be considered by the respondent no.2 and after giving proper opportunity of hearing to all the stakeholders, it would be disposed of by a reasoned and speaking order preferably within a period of eight weeks.

(Harish Kumar, J)

manoj/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.08.2023.
Transmission Date	NA

