

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14330 of 2022**

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Mahanth Vindhyavasini Das @ Mahanth Ram Subhag Das, Chela of Mahanth Baldeo Das @ Balchari Das, Resident of Village- Hetanpur Dhamaun, Police Station- Patori, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Samastipur.
2. The Sub Divisional Officer, Patori, District- Samastipur.
3. The Bihar State Board of Religious Trust, Vidyapati Marg, Patna- 800001, through its Chairman.
4. The Superintendent, Bihar State Board of Religious Trust, Vidyapati Marg, Patna- 800001.
5. Arun Bhai Chaska, Son of Shakaldeo Rai, Resident of Village- Chandpur, Police Station- Patori, District- Samastipur.

... .. Respondent/s

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**Appearance :**

|                         |   |                                   |
|-------------------------|---|-----------------------------------|
| For the Petitioner/s    | : | Mr. Dhanendra Chaubey, Advocate   |
| For the Respondent/s    | : | Mr. Rishi Raj Sinha, SC- 19       |
| For the Religious Trust | : | Mr. Ganpati Trivedi, Sr. Advocate |

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL JUDGMENT**

**Date : 12-09-2023**

Heard Mr. Dhanendra Chaubey, learned counsel appearing on behalf of the petitioner and Mr. Ganpati Trivedi, learned senior counsel for the Bihar State Board of Religious Trust. Mr. Jyoti Ranjan Jha, learned counsel, suo motu appears on behalf of respondent no.5.

2. The petitioner by preferring the present writ application seeking quashing of the proceedings initiated by respondents no.3 and 4 in terms of letter no. 1257 dated 07.07.2022, whereupon an order has been passed on 25.07.2022



by respondent no.3 declaring that the petitioner was neither Mahanth nor he has any relation with the Math and its land. The petitioner further prays to restrain the respondents from enforcing the order dated 25.07.2022.

3. It is submitted that the petitioner belongs to Ramanandi Cult and he has been performing as Sewait of Ram Janki Temple since last 45 years. However, on account of claim raised by respondent no.5, regarding illegal construction and encroachment of temple land at the hands of the petitioner, the petitioner preferred a Title Suit, bearing Title Suit no. 91 of 2022 on 16.08.2022 before the Court of Civil Judge (Senior Division), Patna for declaring his title over Schedule-1 land and for restraining the defendant for not interfering in his possession.

4. On the other hand, Mr. Trivedi, learned senior counsel appearing on behalf of Bihar State Board of Religious Trust (hereinafter referred to as 'the Trust') submits that from the materials available on record, it is evident that the temple, in question, is a Religious Trust, bearing registration no. 4631 of 2022, and, as such, any order passed by the Board is in consonance with the provisions of the Bihar Hindu Religious Trusts Act, 1950.



5. Considering the fact that the petitioner’s title over the land, in question, is still in cloud, for which he has filed Title Suit no. 91 of 2022 before the Court of Civil Judge (Senior Division), Patori for declaration of his title over the suit land and the same is pending adjudication, this Court does not find any reason or occasion to interfere with the order passed by the Board, assailed in the present writ application. However, the petitioner is at liberty to raise all his grievance before the Civil Court, in the seisin of pending suit.

6. In view of the above, the present writ application stands disposed of with the aforesaid liberty.

**(Harish Kumar, J)**

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| AFR/NAFR          | NAFR       |
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