

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16223 of 2022

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Akhileshwar Kumar Tripathi @ Mahanth Akhileshwar Parbat Chela of Mahanth Bindeshwari Parbat Resident of Mauza- Chak Dharamnath (Tiwary Chakiya), P.S.- Bhore, District- Gopalganj, Presently residing at Village- Bagdiha, P.O.- Satjora Bazar, P.S.- Panapur, District- Mahanth, Sri Baba Dharamnath Mandir, Mohalla- Ratanpura, P.O. and P.S.- Bhagwan Bazar, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Saran at Chapra.
2. The President, Bihar State Religious Trust Board, Vidyapati Marg, P.S.- Kotwali, Town and District- Patna, Patna- 800001.
3. The Bihar State Religious Trust Board, through its President, Vidyapati Marg, P.S.- Kotwali, Town and District- Patna, Patna- 800001.
4. The Sub-Divisional Officer, Sadar Chapra, District- Saran.
5. Sri Rajesh Kumar, S/o Kamla Prasad R/o- Shiv Bazar, Near Dhelaji Mandir, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
6. Sri Rakesh Kumar, S/o Rajendra Prasad R/o- Ratanpura, Dharamnath Mandir, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
7. Sri Pritam Kumar Yadav, S/o Chandrika Prasad Yadav At- Ramnagar Chhawni, Bhagwan Baazar, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
8. Sri Shankar Deo Singh, S/o Late Kapildeo Singh At- Ratanpura, Dharamnath Mandir, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
9. Bibhuti Narayan Sharma, S/o Late Surajnath Sharma At- Nai Baazar, Gandhi Maszid ke Pas, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
10. Sri Raj Kapoor Prasad, S/o Late Rajendra Prasad At- Dharamnath Mandir, Ratanpura, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
11. Sri Krishna Deo Rai, S/o Late Sakaldeo Rai At- Ratanpura, Ahir Toli, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
12. Sri Bijay Kumar, S/o Dilip Kumar Thakur At- Ratanpura, Ahir Toli, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
13. Sri Munna Kumar, S/o Shiv Jee Baitha At- Ratanpura, Ahir Toli, P.O. and P.S.- Bhagwan Bazaar, District- Saran.
14. Sri Rahul Ranjan Upadhayay, Grand Son (Nati) of Satyadeo Upadheya At- Ratanpura, P.O. and P.S.- Bhagwan Bazaar, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arghesh Kumar, Advocate



For the State : Mr. Sunil Kumar Mandal, SC-3
Ms. Neelam Kumari, AC to SC-3
Mr. Arjun Prasad, AC to SC-3
For Bihar Religious Trust Board : Mr. Ganpati Trivedi, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-08-2023 Heard Mr. Dronacharya, learned Senior Counsel for the petitioner and Mr. Ganpati Trivedi, learned Senior Counsel who represent the Bihar State Religious Trust Board.

The petitioner has challenged the letter no.5205 dated 18.02.2022 passed by the Trust Board constituting eleven members committee relating to Baba Dharmanath Mandir, Ratanpura, Bhagwan Bazar, Saran, Chapra.

Mr. Ganpati Trivedi, learned Senior Counsel has made preliminary objection that under Section 32(3) of the Bihar Hindu Religious Trust Act, 1950, as the permanent committee has been constituted for a period of five years, he has to move before the concerned District Judge inline under Section 32(2) and 3.

In the aforesaid circumstance, learned counsel for the petitioner submits that he will be seeking appropriate remedy but the delay in submitting the application has to be condoned.

Needless to say since the petitioner was pursuing remedy under writ petition, any petition so filed within a period of four weeks from today along with petition for condonation of



delay has to be taken note of that the writ petition was pending.

The writ petition stands disposed of with aforesaid observation.

(Rajiv Roy, J)

Prakash Narayan

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