

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4263 of 2024

Ashok Yadav Son of Vaiju Yadav, Resident of village- Sikandara, P.S.-
Sikandara, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar Through the District Magistrate, Jamui.
2. The District Magistrate, Jamui.
3. The Sub Divisional Magistrate, Jamui-Cum-Ex-Officio Chairman, Maa Jagdamba Mandir Asthan Trust Committee, Sikandara, Jamui.
4. The Circle Officer, Sikandara Jamui.
5. The Maa Jagdamba Mandir Trust Committee through its Vice President, Sikandara, Jamui.
6. The Bihar State Religious Trust Board through its Secretary, Vidyapati Marg, Patna.
7. Akhilesh Jain, President, The Bihar State Religious Trust Board, Patna.
8. The Vice President, Maa Jagdamba Mandir Trust Committee namely Sri Babu Lal Yadav, Son of Bishundev Yadav, Resident of Sikandara, P.S.- Sikandara, District-Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vipin Kumar, Advocate
For the State	:	Mr. Birju Prasad, GP-13
	:	Mrs. Shweta Anand, AC to GP-13
For the Resp. No.6&7	:	Mr. Shekhar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2024 Heard the parties.

2. The present petition has been filed for the grant of
following reliefs:-

*(i) For direction upon the respondent authority
to conduct the election for constitution of
Managing Committee of Maa Jagdamba Mandir
Trust Committee, Sikandara expeditiously fixed
by this Hon'ble Court.*



(ii) For quashing of Scheme as settled by the Bihar State Religious Trust Board (hereinafter referred to be as "Board") by notification contained in Memo No. 5692 dated 28.03.2022 whereby a scheme was settled and a committee of 11 persons has been constituted for management of Maa Jagdamba Mandir Trust Committee in complete violation of rule and principle of natural justice.

(iii) For direction upon the respondent authority to produce the deed of trust and records of Jagdamba Mandir before this Hon'ble Court so that illegality committed by the Board may be seen by this Hon'ble Court.

(iv) For any other relief/reliefs to which the petitioner is entitled to.

3. Learned counsel for the petitioner submits that the question before this Court is as to whether a person with criminal antecedent can be part of any committee manning the Temple/Math or not.

4. He submits that in the present case, Maa Jagdamba Mandir Trust Committee, Sikandara, Jamui, the Vice-President so nominated by the Trust Board has number of criminal antecedents.

5. Mr. Shekhar Singh, representing the Religious Trust Board, submits that he never preferred any petition before



the Board and in case such petition is filed, the same shall be considered.

6. If the contention of the petitioner is true, it is unfortunate that without ascertaining the criminal antecedent of a person, first the nomination is made and thereafter the local authorities are directed to check their criminal antecedent which should have been other way around.

7. However, since the petitioner never moved before the Trust Board, it would be appropriate that he prefer petition before the said Board along with all the supporting documents and the Board will be duty bound to check not only the criminal antecedent of the respondent no.8 but also the other members excluding the Sub-Divisional Officer.

8. The petition of the petitioner must have one paragraph dedicated to himself that he do not have criminal antecedent and in case he fails to do so, the petition need not be entertained.

9. The Trust Board has been repeatedly warned not to pick up the people with criminal antecedent as members of the Board but it is continuing without any such check. Additionally, on the petitions preferred, the nominations have been made instead of putting advertisement in the newspaper and getting



the names so submitted checked up through the local police station, the Trust Board is continuing with picking of the person with criminal antecedent.

10. The writ petition stands disposed of directing the petitioner to approach the Trust Board in next four weeks along with the proper petition and the Board shall be duty bound to pass an appropriate order after putting all the members of the said committee on notice and getting information about their criminal antecedent.

11. Additionally, the committee is also required to bring on record the Bank statement of previous years to show that the entire money that came in the Temple/Math was deposited in the Bank and the direction of the Trust Board was followed. The entire process will be concluded expeditiously.

12. The writ petition stands disposed of.

(Rajiv Roy, J)

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