

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5812 of 2022

1. Shree Badi Devi Ji Mandir Nyas Samiti, Marufganj, Police Station- Malsalami, Patna City, District- Patna through its Vice President namely Ghanshyam Sharma, aged about 74 years, gender- male, Son of Late Maheshwaranand Sharma, Resident of Mohalla- Marufganj, Police Station- Patna City, District- Patna.
2. Ghanshyam Sharma Son of Late Maheshwaranand Sharma Resident of Mohalla- Marufganj, Police Station- Patna City, District- Patna.
3. Jay Prakash Trivedi Son of Ram Chandra Trivedi Resident of Mohalla- Nehru Tolla Humad Gali, Marufganj, Police Station- Chowk, District- Patna.
4. Sanjay Kumar Son of Jamuna Prasad Resident of Mohalla- Marufganj, Police Station- Patna City, District- Patna.
5. Santosh Kumar Son of Ram Chandra Prasad Resident of Mohalla- Adrakh Ghat, Marufganj, Police Station- Patna City, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Sub-Divisional Magistrate, Patna City, Patna.
6. The Bihar State Board of Religious Trust, through its Secretary, Vidyapati Marg, Patna-1.
7. The President, the Bihar State Board of Religious Trust, Vidyapati Marg, Patna-1.
8. The Secretary, the Bihar State Board of Religious Trust, Vidyapati Marg, Patna-1.
9. Bhagwan Das Yadav fathers name not known to the petitioner, Patron, Shree Badi Devi Ji Mandir, Nyas Samiti, Marufganj Police Station- Malsalami, Patna City, District- Patna.
10. Ishwar Lal Agrawal fathers name not known to the petitioner Member, Shree Badi Devi Ji Mandir, Nyas Samiti, Marufganj Police Station- Malsalami, Patna City, District- Patna.
11. Atanu Sah fathers namee not known to the petitioner Member cum Puja Manager, Shree Badi Devi Ji Mandir, Nyas Samiti, Marufganj Police Station- Malsalami, Patna City, District- Patna.
12. Dr. Rajesh Kumar fathers name not known to the petitioner Secretary, Shree Badi Devi Ji Mandir, Nyas Samiti, Marufganj Police Station- Malsalami, Patna City, District- Patna.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate.
For the State : Mr. Saroj Kumar Sharma, AC to AAG-3.
For the Board : Mr. Ganpati Trivedi, Sr. Advocate.
For respondent nos.9&10: Mr. Puneet Siddhartha, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 13-02-2024 Heard Mr. Sanjay Kumar, learned counsel appearing on behalf of the petitioner; Mr. Saroj Kumar Sharma, learned AC to AAG-3 for the State, Mr. Ganpati Trivedi, learned counsel for the Bihar State Board of Religious Trust and Mr. Puneet Siddhartha, learned counsel for the respondent nos. 9 and 10.

2. Learned counsel appearing on behalf of the petitioner seeks to withdraw the present writ petition with a liberty to file an application under Sub Section 1 of Section 32 of the Bihar Hindu Religious Trusts Act, 1950 (hereinafter referred to as the “Act”), instead of filing suit before the District Court of competent jurisdiction for getting the scheme so settled, modified or substituted in accordance with the law governing the Trust in question.

3. Considering the aforesaid submission made on behalf of the petitioner, the petitioner may file an application under Sub Section 1 of Section 32 of the Act. The Religious Trust Board before exercising its jurisdiction must clearly decide whether it can pass such order as per the provision of



Sub Section 1 of Section 32 of the Act. In case, the Board has such power may proceed to decide the application made by the petitioner in accordance with law.

4. The writ petition stands dismissed as withdrawn.

(Purnendu Singh, J)

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