

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1248 of 2024

In
Civil Writ Jurisdiction Case No.16331 of 2023

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Surendra Prasad Arya Son of Late Bhagwan Lal Arya Resident of Mohalla -
Ward No. 12, Bhabhua, P.S. Bhabhua, Distrcit - Kaimur - 802101 (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Sachiwalaya, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Sachiwalaya, Patna.
3. The Principal Secretary, Tourist Department, Government of Bihar, Sachiwalaya, Patna.
4. The Principal Secretary, Land Reform and Revenue Department, Government of Bihar, Sachiwalaya, Patna.
5. The Principal Secretary, Nagar and Bhawan Construction Department, Government of Bihar, Sachiwalaya, Patna.
6. The Chairman, Bihar Hindu Religious Trust Board, Bidyapati Marg, Patna.
7. The Commissioner, Patna Division, Patna.
8. The District Officer, Kaimur (Bhabhuwa).
9. The Executive Officer, Nagar- Parishad, Bhabhuwa, Kaimur-cum-Adhyaksha Late Kanni Ram Kejriwal Charity Trust (Nyas Samiti) Dharmsala, Bhabhuwa.
10. The Sub-Divisional Officer, Bhabhuwa, Kaimur.
11. The Secretary, Nyas Samiti, Late Kanni Ram Kejriwal Charity Trust Dharmsala Bhabhua, Kaimur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh, Advocte
For the Opposite Party/s : Government Advocate 07

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 20-09-2024 Heard learned counsel appearing on behalf of the

petitioner and the learned counsel for the respondents.

2. By way of present modification application, the

petitioner *inter alia* has sought following modification :



“The present modification petition has been filed against direction order on 15.02.2024 passed by Hon’ble Court in CWJC No.16331 of 2023. It is come to knowledge after received by net copy, really order nature has been charge from defective word “ready” & “any amount” according to grievance, reliefs, prayer with annexure of writ petition. So can not put up before appropriate authority without modification.

That the mostly order word as “ready” instead “not ready” & “any amount” instead “Rent Amount” must necessary modify according to grievance, relief & prayer with Annexure-1 series, 2/A, 2/B, 5 series, 7, 9 & 9. As should be modify both words of order on 15.02.2024, which will be transpiracy according to grievance, relief, prayer with annexures, then will be put up specifically before appropriate authority.”

3. From perusal of paragraph no.1 of the writ petition, it appears that the petitioner has admitted in paragraph no.9 that he has been paying rent of the shop per month continuously according to the circular.

4. The main grievance of the petitioner prayed for in the writ petition is against the notice dated 02.08.2023 to be vague and issued on the basis of letter no.1480 dated 27.07.2023 of the Chairman of the Bihar State Religious Trust Board, Patna without knowledge of the petitioner.

5. The petitioner had sought setting aside of the said notice and at the same time, he had replied to same on 26.09.2023.

6. At the time of hearing of the writ petition, the



petitioner had informed on 15.02.2024 that he has already deposited certain amount in the Bank Account No.3863000102021131 in compliance of the notice, while he regularly used to deposit the rent in Account No.3863000102021132.

7. The order was passed in the open Court in presence of the learned counsels, who were present in the Court. In such circumstances, the modification as sought for in the present modification application can only be considered to be misconceived and baseless requiring no modification of order dated 15.02.2024 passed in CWJC No.16331 of 2023.

8. With the above observation/direction, the present modification application stands dismissed.

(Purnendu Singh, J)

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