

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9919 of 2023

Manish Chandra Agarwal Son of Late Krishna Chandra Das, Resident of Mohalla - Ghosi Tola, Narayan Das Road, Bhagat Singh Chowk, P.S. Kotwali, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Munger.
2. The Collector, Munger.
3. The Bihar State Board of Religious Trusts, through its Chairman, Vidyapati Marg, Patna.
4. The Chairman, Bihar State Board of Religious Trusts, Vidyapati Marg, Patna.
5. The Superintendent (In-Charge), Bihar State Board of Religious Trusts, Vidyapati Marg, Patna.
6. Parmananad Yadav Son of Late Chamak Lal Yadav, Resident of Village- Chhoti Mirzapur, P.S. Kasim Bazar, District- Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shankar Kumar Choudhary, Adv Ms. Nivedita Nirvikar, Sr. Adv Mr. Awnish Kumar, Adv Ms. Supragya, Adv
For the Respondent/s	:	Mr. Rishi Raj Sinha (Sc19) Mr. Ravi Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-08-2024 Heard Ms. Nivedita Nirvikar, learned Senior counsel for the petitioner, Mr. Ravi Ranjan representing the respondent -Bihar State Religious Trust Board.(henceforth for short 'the Trust Board').

2. The present writ petition has been preferred for the following relief(s):

(i) for quashing the show cause notice bearing Memo No. 792 dated 30.05.2022



(Annexure-7) issued by Superintendent (In-Charge), Bihar State Board of Religious Trust, Patna whereby and where under the petitioner has been asked to file his response along with all relevant materials on the complaint dated 07.04.2022 filed by the Respondent No. 6 namely Parmanand Yadav on 11.04.2022;

(ii) for direction to the Respondents concerned not to take any further steps on the complaint dated 07.04.2022 (Annexure-6) filed by the Respondent No. 6 against the petitioner's private trust until the final adjudication of the instant writ application;

(iii) for direction to the Respondents concerned to consider and dispose of the humble objection-cum reply dated 05.08.2022 (Annexure-8) filed by the brother of the petitioner to the show cause notice bearing Memo No. 792 dated 30.05.2022 issued by the Superintendent (In-Charge), Bihar State Board of Religious Trust, Patna;

(iv) for quashing the order dated 05.08.2022 (Annexure-9) passed by the Respondent No. 4 whereby and where under he has passed blanket order of stay against the properties mentioned in Arpannama including the property of private trust of the petitioner without deciding/disposing the objection cum reply filed by the petitioner on 05.08.2022 itself;

(v) for calling for the entire records of



proceedings pending before the Competent Authority (Respondent No. 4) of the Bihar State Board of Religious Trust, Patna in relation to the petitioner's private trust in which complaint has been filed by the Respondent No. 6 on 07.04.2022.

3. The claim of the petitioner is that a private temple is being clubbed in the category of the temple under 'the Trust Board' and in line with it, the Trust Board, issued notice vide no. 792 dated 30.05.2022 (Annexure-7 to the petition).

4. She submits that though the petitioner promptly submitted the reply (vide Annexure-8) before the Trust Board on 05.08.2022, neither the same has been considered nor an appropriate order passed.

5. Mr. Ravi Ranjan, learned counsel appearing on behalf of 'the Trust Board' submits that though there has been some delay in pursuing the same, he undertakes that the same shall be taken to its logical conclusion in next three months.

6. Ms. Nivedita Nirvikar, learned Senior Counsel submits that they must look into the show cause/objection filed on behalf of the petitioner, as stated above, as also grant them opportunity of hearing before passing the order.

7. It goes without saying that 'the Trust Board' before taking any decision will have to look into the show



cause/objection filed on behalf of the petitioner and also grant opportunity to all the concerned parties to present their case before an appropriate order is passed.

8. Mr. Ravi Ranjan has already submitted that the same will be taken to its logical conclusion in next three months.

9. Accepting the same, the writ petition stands disposed of with a direction to the concerned respondent to take up the matter and dispose it of within a stipulated period of three months.

10. The writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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