

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12632 of 2023

Meera Devi Wife Shyam Bahadur Chaudhari Resident of Village and P.O. and P.S.-Dhanauti O.P., District-Siwan, at Present Residing at House No. 30/6, Mohalla No.28, Jalandhar, Jalandhar Cantt. Punjab-144005.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Bihar, Patna.
2. The Bihar State Board of Religious Trust, Patna through the Superintendent.
3. The President, Bihar State Board of Religious Trust, Patna.
4. The Collector, Siwan.
5. The Block Development Officer, Pachrukhi, District -Siwan.
6. The Circle Officer, Pachrukhi, District-Siwan.
7. Shri Satrudhna Goswami Chela of Name not Known, Resident of Kabirpanthi Dhanauti Badi Math, P.S.-Dhanauti, District-Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Prasad Singh, Advocate
For the Respondent/s : Mr. Vinay Kirti Singh, AC to GA 2

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-07-2024 Heard the parties.

2. Petitioner has prayed for the following reliefs :

“1) That this is an application for issuance of a writ in the nature of a writ of Certiorari/Mandamus or any other appropriate writ, order or direction to the Respondents to quash the order dated 25.7.2023 (Annexure-P2) passed by the President, Bihar State Board of Religious Trust, Patna (Respondent no.3) in a proceeding of Kabirpanthi Chhoti Math Dhanauti, District- Siwan whereby the



Respondent no.3 directed the office to inform the S.S.P. and S.D.P.O. Siwan to demolish the construction of petitioner and give the vacant possession of land to the Board and the petitioner is directed to appear in Board and file papers of their title and ownership, without any notice or fixing any date.”

3. It is the case of the petitioner that though the Title Suit No. 243/87 which was pending before the learned Sub Judge, Siwan has gone against them, a Title Appeal No. 156/2013 is there before the learned Additional District Judge VII, Siwan, but on 25.07.2023, the President of the Bihar State Board of Religious Trust in a high handedness manner directed the local police authority to immediately demolish the boundary wall which followed the demolition.

4. This Court will not go into the complexity of the Title suit/Title Appeal which may be taken to its logical conclusion by the competent civil court, it must record the fact that the act of the President of the Religious Trust Board is bad in as much as without requesting the concerned police officials/Sub Divisional Magistrate, Siwan to look into the matter and do the needful after issuing notice to the concerned parties, it straight away directed for demolition.



5. The petitioner is allowed to raise all issues before the Competent Civil Court including payment for the damages done.

6. The writ petition is disposed of

(Rajiv Roy, J)

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