

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13353 of 2024

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Kapileshwar Singh Son of Late Kumar Sudheshwar Singh, Resident of Rambagh Palace, P.S. L.N.M.U Campus, P.O. Darbhanga for self and member of the committee for Management of Residuary Estate of Raj Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Social Welfare Department, Govt. of Bihar, Vikash Bhawan, Patna.
2. The Principle Secretary, Social Welfare Department, Govt. of Bihar, Vikas Bhawan, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The District Magistrate, Darbhanga.
5. The Inspector General, Registration, Vikas Bhawan, Bihar, Patna.
6. Kameshwari Priya Poor Home, Darbhanga through its Secretary, Dr. Raman Kumar Verma, Resident of Village/Mohalla- Mirjapur, P.O. Darbhanga District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ganpati Trivedi, Sr. Advocate
For the Respondent/s : Mr. Prem Ranjan Raj, SC to SC-7

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-10-2024 Heard Mr. Ganpati Trivedi, learned Senior Counsel
for the petitioner and Mr. Prem Ranjan Raj, learned AC to SC-7.

2. The present petition has been preferred for issuance of an appropriate writ order or direction for quashing the order dated 30.01.2018 passed by Inspector General Registration, Bihar Patna contained in memo No. 146 dated 30.01.2018 whereby the Registration of Kameshwari Priya Poor Home, Darbhanga has been cancelled under section 23 of the Society Registration Act read with Rule 12 and 13 of the



Bihar Society Registration Rules, 1965 and the order dated 08.02.2018 passed by the Commissioner, Darbhanga, a Division Constituting a Committee (Annexure-P/8) and also for commanding the respondents to return the trust property creating the poor home to the petitioner who are the heirs of the settlor in terms of the deed creating the Trust.

3. Though, learned Senior Counsel for the petitioner tried to impress upon this Court that the petitioner being a descendant of the Maharaj Kameshwar Singh of Darbhanga Estate, in view of the transfer document, by which, it was handed over to Kameshwari Priya Poor Home, Darbhanga, the same talks about the land coming back to Estate.

4. However, the fact remains that they have delayed coming to the Court, the order being of the year 2018. Further, there is another brother of the petitioner and as acknowledged by him and as such both of them have to approach the competent Civil Court for the redressal of their grievance.

5. Learned Senior Counsel submits that they shall be approaching the competent Court.

6. Learned AC to SC-7 has also pointed out that earlier it was Dr. Raman Kumar Verma who being Secretary to the Kameshwari Priya Poor Home, Darbhanga was agitating the



matter which ultimately led to the passing of the order dated 30.01.2018, he chose not to approach any Court and now six years later, the present petition.

7. This court would not like to make any comment on the merit of the case when the petitioner is ready to approach the competent Civil Court for the redressal of the grievance.

8. Granting said liberty, the writ petition stands disposed of.

9. The orders passed by the respondents shall naturally merge with the final order passed by the competent Civil Court.

(Rajiv Roy, J)

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