

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15418 of 2023**

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Ram Udgar Rai son of Jagat Narayan Rai, Resident of Village-Mogal  
Chak, Police Station- Mohiuddin Nagar, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, District- Samastipur.
3. The Secretary, Bihar State Board of Religious Trust, Patna.
4. The Sub-Divisional Officer, Patori, District-Samastipur.
5. The Circle Officer, Mohiuddin Nagar, District-Samastipur.
6. The Monk/Trustee, Ram Janki Thakurbari, Mohiuddin Nagar, District-Samastipur.

... .. Respondent/s

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**Appearance :**

|                      |   |                                                            |
|----------------------|---|------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Amit Kumar, Advocate<br>Mr. Ajay Kumar Singh, Advocate |
| For the B.S.R.T.B.   | : | Mr. Ravi Ranjan, Advocate                                  |
| For the State        | : | Mr. Raj Kishore Roy (GP-18)                                |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      05-01-2024                      Heard Mr. Amit Kumar, learned counsel appearing on behalf of the petitioner; Mr. Ravi Ranjan, learned counsel appearing on behalf of the Bihar State Board of Religious Trust and Mr. Raj Kishore Roy, learned GP-18 for the State

2. Petitioner has prayed for following relief(s) in paragraph no. 1 of the writ petition, which *inter alia* is reproduced hereinafter:

*“1. That the petitioner craves indulgence of this Hon’ble Court for issuance of an appropriate writ*



*in the nature of Mandamus or any other writ/writs, order/orders, direction/directions, command/commands for directing the respondents to not interfere in peaceful possession of the petitioner and further in the nature of Certiorari to quash letter No. 981 dated 27.06.2023 as contained in Annexure-4 as such four shops are in the name of family member of petitioner and others are on raiyati land of petitioner and further for direction to respondent No. 3 to stop the proceeding.”*

3. Learned counsel appearing on behalf of the petitioner submitted that petitioner is the tenant and the jurisdiction lies with the trustee of the Ram Janki Trust, Mohiuddin Nagar, Samastipur with respect to the shops allotted to him, which are the only source of his livelihood. He is being harassed due to the proceeding pending before the President of Bihar State Religious Trust Board. The petitioner has participated in the said proceeding but no final order has been passed.

4. This Court don't find it proper to interfere with the notice considering the fact that the petitioner has already participated in the pending proceeding before the President. However, taking into consideration the fact that petitioner is faced with financial stress on account of non operation of the shops in question, which are the only source of his livelihood, the President of the Bihar State Religious Trust Board, is directed to expeditiously decide the matter soon in accordance with law



after giving due opportunity of hearing to all the affected parties.

5. Accordingly, the present writ petition is disposed of.

**(Purnendu Singh, J)**

Niraj/-

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