

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6130 of 2024

Sanjhauli Math through its Mahanth namely Vishwanath Giri @ Bishwanath Giri, Gender-Male, aged about 87 years, son of Late Ramayan Giri, Resident of Village-Sanjhaulimath, P.O.-Vensagar, P.S.-Karakat, Dist-Rohtas (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Land and Revenue Department, Bihar, Patna.
2. The Collector, Rohtas at Sasaram.
3. The Sub Divisional Officer, Bikramganj, District-Rohtas at Sasaram.
4. The Deputy Collector Land Reforms, Bikramganj, District-Rohtas at Sasaram.
5. The Block Development Officer, Bikramganj cum President of the trustee Committee, Sanjhauli Math, District-Rohtas at Sasaram.
6. The Circle Officer, Karakat, District-Rohtas at Sasaram.
7. The Bihar Religious Trust Board, Bihar Patna through its Chairman.
8. Jagnarayan Singh, son of not Bhikhari Singh, Resident of Khutha, P.S.-Sanjhauli, Dist-Rohtas.
9. Jhukhali Rajwar @ Karmu Rajwar, Son of Late Lather Rajwar, resident of Sanjhauli Math, P.S.-Karakat, Dist-Rohtas.
10. Dular Chand Gareri, Son of Late Mangru Pal, resident of Sanjhauli Math, P.S.-Karakat, Dist-Rohtas.
11. Harinarayan Singh, son of Sri Kalicharan Singh, resident of Khutha, P.S.-Sanjhauli, Dist-Rohtas.
12. Pravesh Rajwar, son of Sri Singhashan Rajwar, resident of Sanjhauli Math, P.S.-Karakat, Dist-Rohtas.
13. Satya Narayan Singh Son of Late Sakhi Singh, resident of Khutha, P.S.-Sanjhauli, Dist-Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Mishra
For the Respondent/s : Mr.Standing Counsel (25)
For the Respondent 7 : Mr. Ganpati Trivedi, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-08-2025 The petitioner who is a Mahanth of Sanjhauli Math has



filed the present writ application for a direction to the respondents authority to demarcate the land of the Math details of which have been mentioned in paragraph no. 1 of the writ application and to remove encroachment over the subject land by the third parties.

Mr. Ganpati Trivedi, learned senior counsel for the Bihar Religious Trust Board submits that there is special provision under the Bihar Hindu Religious Trusts Act, 1950 (in short “the Act”) in Section 43(D) which says that any trustee or any person interested in the religious affairs of the trust with the permission of the Board may file an application before the Tribunal for removal of the encroachment from the trust property. Accordingly, his submission is that the petitioner may avail the remedy by filing appropriate application before the Tribunal under Section 43(D) of the Act.

Having heard learned counsel for the parties and taking into consideration the nature of prayer made in this writ application the same is disposed with liberty to the petitioner to file an application under section 43(D) of the Act before the Tribunal within a period of one month from today. If such an application is filed, the Tribunal shall decide the same in accordance with law after giving opportunity of hearing to all



concerned by a reasoned order within a period of six months
from the date of filing of the application.

(Anil Kumar Sinha, J)

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