

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10720 of 2024

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Sachchidanand Singh Son of Late Satyabrata Narayan Singh Resident of
Village Tehwara, P.S.- Katra, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The Bihar State Board Of Religious Trust through its Chairman, Bihar Patna
2. The Chairma, Bihar State Board of Religious Trust. Bihar Patna.
3. The Administrator, Bihar State Board of Religious Trust.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs. Mahasweta Chatterjee, Advocate
For the Board	:	Mr. Ganpati Trivedi, Sr. Advocate
For the Intervenor	:	Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

9 12-05-2025 Heard learned counsel for the petitioner Mrs. Mahasweta Chatterjee and Mr. Ganpati Trivedi, learned senior counsel appearing for the Bihar State Board of Religious Trust (for brevity “Board”) as well as learned counsel for the respondent-State.

2. The petitioner in the present application has prayed for following reliefs:

(I) that an appropriate writ may be issued quashing the whole proceeding being proceeded by the Respondent No. 2 with regard to Radha Krishna Mandir, Tehwara, Muzaffarpur.

(ii) That an appropriate writ may be issued quashing the notice dated 08.04.2024 issued on behalf of the Respondent no. 1 as contained in Annexure-12 directing the petitioner to be present before the respondent no.2 for hearing on 25.6.2024.



(iii) That an appropriate writ may be issued commanding upon the respondent no. 1 and 2 not to proceed the hearing with regard to Radha Krishna Mandir, Village- Tehwara within the district of Muzaffarpur during the pendency of this writ application.

(iv) That any other relief or reliefs for which the petitioner is entitled to.

3. During the course of hearing, learned counsel appearing for the Board has pointed out that the Board has been superseded and now it is headed by the Administrator. He further submits that the objection raised by the petitioner with regard to the initiation and continuance of the proceedings by questioning the maintainability and jurisdiction of the Board to decide the matter can very well be agitated by the petitioner before the Administrator, who can decide this question. It is also submitted that at this stage, the present writ application is premature and should be dismissed.

4. Learned counsel for the petitioner submits that she is prepared to agitate her issue regarding maintainability and jurisdiction before the Administrator, which she has already raised vide Annexure-P-10A. It is submitted that she would be satisfied if liberty is granted to the petitioner to agitate this matter before the Administrator who will hear and decide this preliminary objection within a fixed time frame. To this prayer



being made by learned counsel for the petitioner, the learned senior counsel for Board and learned counsel for the State do not have any objection.

5. The petitioner vide Annexure-P-10A has questioned the initiation and continuance of the proceeding before the Board on the ground that the Trust in question is neither registered with the Board and nor has been declared to be a public trust. Under these circumstances, the learned counsel for the petitioner contends that the Board does not have jurisdiction to proceed with the hearing of the complaint filed by the villagers. Learned counsel for the petitioner, therefore, submits that this preliminary objection should be first decided by the Administrator and the petitioner should be allowed to participate in the hearing and produce materials in support of this contention.

6. As prayed for by the learned counsel for the petitioner and agreed by the learned senior counsel for the respondent-Board, the Administrator of the Board is hereby directed to decide the preliminary objection raised by the petitioner within three months from today and while deciding this preliminary objection, he will grant liberty to the petitioner to produce the required materials in support of her contention.



7. After giving adequate opportunity of hearing, the Administrator shall decide this issue by passing a reasoned and speaking order.

8. With the aforesaid directions and observations, the present writ petition stands disposed of with the liberty as granted above.

(Alok Kumar Sinha, J)

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