

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11837 of 2022

Mahanth Brajesh Das @ Mahanth Brajesh Muni, (Sanrakshak) Acharj Gadhi Kabir Math Fatuha, Patna, aged about 52 years, Male, Son of Late Baleshwar Das, Resident of At present Village- Govindpur Fatuha, Post Office- Fatuha, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of Law, Govt. of Bihar, Patna.
2. The Bihar State Hindu Religious Trust Board, Patna.
3. The Director of Bihar State Financial Corporation, Frazer Road, Patna.
4. The Managing Director of Bihar State Financial Corporation, Frazer Road, Patna.
5. Brajesh Kumar Bharti son of Late Ram Nath Bharti, resident of Bangra, P.O.- Bangra, Via- Daudpur, District- Saran (Chapra) Bihar, 841205.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Narayan Mahto, Adv.
For the Respondent/s	:	Mr. Prasant Pratap (Gp 2)
For BSFC	:	Mr. Nikhil Kumar Agrawal, Adv.
For Trust Board	:	Mr. Ganpti Trivedi, Sr. Adv.
		Mr. Saurabh Suman, Adv.
		Mr. Ritik Shah, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-02-2025 Heard the parties.

2. The present application has been preferred for:

*issuance of an appropriate writ(s),
order (s) direction(s) for quashing the vide
Memo no.299 dated 20.07.2022 issued by
Sanjay Prasad, Deputy Manager, (Recovery
I/C) authorized signatory whereby and
whereunder auction sale of
Mortgaged/Hypothecated assets of M/S Sant
Kabir Cold Storage (P) Ltd. Govindpur,
Dariyapur Fatuha, Patna in favour of Shri
Brajesh Kumar Bharti son of Late Ram Nath
Bharti of Bangra P.O.-Bangra, P.S.-Daudpur,*



District-Saran (Chapra) on the ground of without any notice and show-cause order has been passed which is totally against the natural justice and also against the section 44 of Bihar State Hindu Religious Trust Board Patna and some land is Kabir Math Fatuha and same math has been registered by Bihar State Hindi Religions Trust Board Patna and its no.307 a person who has made mortgage the Kabir Math land without permission of Bihar State Hindi Religious Trust Board, Patna and who has been died. So mortgage of Kabir Math land is illegal and bad in eye of law.

3. On 09.09.2024, two weeks' time was granted to remove the defect.

4. As the same was not removed and it being a peremptory order, the case stands dismissed on 23.09.2024.

5. Peruse the file, consigned.

(Rajiv Roy, J)

Vijay Singh/-

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