

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.57 of 2025

In

Civil Writ Jurisdiction Case No.3282 of 2022

Ashok Kumar Singh Son of Late Ramta Prasad Singh, Resident of Village Mojari, P.S. - Shivsagar, District- Rohtas, at Sasaram, the Manager of Shri Thakur Jeet Mahabir Jee Mandir, Mojari.

... .. Appellant/s

Versus

1. The State of Bihar Revenue Secretary, Government of Bihar, Patna.
2. The Bihar State Board of Religious Trust, through its Chairman, Vidyapati Marg, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs. Mahasweta Chatterjee, Advocate
For the Respondent/s	:	Mr. Additional Advocate General (12)
For the Board	:	Mr. Ganpati Trivedi, Sr. Advocate
		Mr. Saurav Suman, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-02-2026

The Letters Patent Appeal has been filed challenging the order dated 13.12.2024 passed by the learned Single Judge of this Court in C.W.J.C. No. 3282 of 2022. By filing the writ petition, the appellant/petitioner prayed for quashing a part of the order dated 20.07.2021, by which the Chairman and other members of Bihar Hindu Religious Trust Board directed the parties not to Sale, Mortgage the property involved in the case. The appellant/petitioner further sought a direction to the



respondent no. 2, Bihar State Board of Religious Trust, to hear the case and decide the nature of the trust by full-fledged Board.

2. The learned Single Judge after hearing the parties, has been pleased to observe as follows:-

“8. It is yet to be decided as to whether the Trust in question, is public or private. I am of the view that unless the nature of the trust whether it is public or private is adjudicated upon, any person cannot alienate the properties relating to the trust. The learned President of the Board has restrained all the parties from alienating the properties and he directed to maintain status quo by the impugned order dated 20-07-2021. The order of the Board is well reasoned and it requires no interference.”

3. Aggrieved with the order of dismissal of the writ petition, the Letters Patent Appeal has been filed.

4. When the matter was taken up on 29.01.2026, we asked the learned counsel for the respondents to obtain instruction regarding the status of the proceeding before the Trust and whether there is any kind of stay order passed by this Court or by any other Court in connection with the said case.

5. Today the learned counsel for the respondents submitted that there is no stay order by any Court and the matter is *sub-judice* before the respondent no. 2 and notice has been



issued to the appellant, Ashok Kumar Singh, asking him to appear on 20.02.2026.

6. The learned counsel for the appellant submits that since notice has already been issued, the appellant will co-operate with the early disposal of the proceeding and necessary direction may be issued to the concerned authority to expedite the hearing.

7. The learned counsel for the respondents have no objection to such submission made by the learned counsel for the appellant.

8. Considering the submissions advanced by the learned counsel for the respective parties, the respondent no. 2 is directed to decide the nature of Trust, in question, under Section 28(2)(u) of the Bihar Hindu Religious Trusts Act, 1950 in connection with Shri Thakur Jee and Mahavir Jee Mandir.

9. No adjournments shall be granted to any of the parties and it is expected that both the parties shall co-operate for early disposal of the case. The respondent no. 2 shall take all sincere efforts to conclude the proceedings at an earliest, preferably within a period of three months from the date of receipt of the order. The appellant shall produce the certified copy of the order before the concerned authority.



10. The Letters Patent Appeal stands disposed off.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.02.2025
Transmission Date	NA

