

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.255 of 2023

In
Civil Writ Jurisdiction Case No.13002 of 2022

=====

Binod Kumar Singh Son of Late Bhupendra Singh Resident of Village
Rahmatpur P.S.-Asarganj, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary- Law Department-cum-Legal Remembrancer, Bihar State Government, Patna.
2. The Secretary Law Department-cum-Legal Remembrancer, Bihar State Government, Patna.
3. The Commissioner, Munger Division
4. The Collector-cum-District Magistrate, Munger.
5. The Dy. Collector-Land Reforms LRDC- Tarapur Sub-Division, District-Munger.
6. The Circle Officer- Asarganj, District- Munger.
7. The President- Bihar State Board of Religious Trust, Vidyapati Marg, Patna.- 800001
8. Area Incharge-cum-Assistant Sueprintendent, Bihar State Board of Religious Trust, Vidyapati Marf, Patna-800001.
9. Dr. Rakesh Kumar Son of Mahendra Prasad Mandal the than Mukhiya of Asarganj Village Panchayat, Resident of Hatinath (near girls middle School) P.O. and P.S.- Asarganj, District Munger, Piin- 813201
10. Bihar State Board of Religious Trust, through its President, Vidyapati Marg, Patna - 800001.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Dev Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr.Gyan Prakash Ojha, GA-7
For Religious Board	:	Mr. Shekhar Singh, Sr. Advocate
		Mr. Sumit Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 18-02-2026 Heard the parties.

2. The present petition has been preferred for the
following relief/s:

(i) for review of order dated 08.8.23. passed



by this Court in CWJC No. 13002 of 2022 (Binod Kumar Singh versus The state of Bihar & Others) whereby and where under this Honble High court had been graciously pleased to dispose off the aforementioned writ petition with liberty given to the present petitioner-applicant to prefer an appeal before the competent court within four weeks from the day of order under review and granted status quo as existing on that day to be maintained till the stipulated time of appeal and also held that any observation made by the President of the Bihar state Board of Religious trust in the impugned order dated 30.06.2023 will not come in the way of petitioner while defending his case in Title suit no. 205 of 2015 and/or any appeal, preferred against the said order however, the Hon'ble Court while passing the order dated 8.8.2023 made an apparent error of record in recording the submissions made on behalf of the petitioner that petitioner's counsel is



not objecting to the declaration and registration of Motiram Paliram Dharmshala Asarganj as a public trust as the same observation is apparently contrary to the relief sought in the connected writ petition that have been quoted in the order dated 8.8.2023 itself and such observation would nullify the petitioner's very purpose and cause for preferring appeal/ miscellaneous case before the competent court against the impugned order dated 30.6.2023 passed by the Bench and hence frustrate the liberty as granted to the petitioner by order dated 8.8.2023 itself.

3. An order was passed on 08.08.2023 and this Court having taken note of the fact that Title Suit No. 205 of 2015 is pending in which the petitioner is defendant and it is appropriate that they shall be agitating the matter there.

4. The Civil Review has now been filed and the case of the petitioner is that the word 'registered' which has been recorded in page 4/5 of the order dated 08.08.2023 may hamper his case in the Title Suit.



5. With the consent of the parties, this Court records that the observation as recorded below:

“Motiram Paliram Dharmshala and Asarganj, Munger as a place for lodging and fooding of the people and accordingly to get it registered has not been objected by the petitioner” be ignored while taking up and considering the points raised by the parties in Title Suit No. 205 of 2015 and both the parties will have liberty to raise all the points irrespective of any observation made in the present order.

4. The Civil Review No. 255 of 2023 stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

