

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20834 of 2021

1. Shree Badi Devi Mandir, Marufganj Prabhand Samiti, through its President namely Ghayan Shayam Sharma, aged About 74 Years, Gender-Male, Son of Maheshwaranand Sharma, Resident of Mohalla-Marufganj, Police Station-Patna City, District-Patna.
2. Ghayan Shayam Sharma Son of Maheshwaranand Sharma Resident of Mohalla-Marufganj, Police Station-Patna City, District-Patna.
3. Sanjay Kumar Son of Jamuna Prasad Resident of Mohalla-Marufganj, Police Station-Patna City, District-Patna.
4. Jay Prakash Trivedi Son of Ram Chandra Trivedi, Resident of Mohalla-Nehru Tolla Humad Gali, Marufganj, Police Station-Chowk, District-Patna.
5. Santosh Kumar Son of Ram Chandra Prasad Resident of Mohalla-Adrakh Ghat, Marufganj, Police Station-Patna City, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Sub-Divisional Magistrate, Patna City, Patna.
6. The Bihar State Board of religious Trust, through its Secretary, Vidyapati Marg, Patna-1
7. The Chairman, the Bihar State Board of religious Trust, Vidyapati Marg, Patna-1.
8. The Secretary, the Bihar State Board of Religious Trust, Vidyapati Marg, Patna-1

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr.Pawan Kumar, AC to AG

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)



(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 07-01-2022

Heard learned counsel for the parties.

Petitioners have prayed for the following relief/s :-

That this writ petition in the form of Public Interest Litigation is being filed on behalf of the petitioners in representative capacity for issuance of a writ in the nature of mandamus, commanding and directing the respondent-authorities of the Bihar Board of religious Trust, (hereinafter referred to as "Board") to settle scheme for proper administration of Shree Badi Devi Durga Mandir, Marufganj, Patna City, Patna (hereinafter referred to as "Durga Mandir") and further pray for a direction to take action for construction of the Durga Mandir, Marufganj under the police protection and/ or for issuance of such other writ(s), order(s) or direction(s), to which the petitioners are entitled to in the facts and circumstances averred hereinafter.

Shri Sanjay Kumar, learned counsel for the petitioners states that respondent Nos. 6 and 7, namely, the Bihar State Board of Religious Trust, through its Secretary, Vidyapati Marg, Patna-1 and the Chairman, the Bihar State Board of Religious



Trust, Vidyapati Marg, Patna-1 respectively have already initiated appropriate action in the matter. The District Magistrate is ceased over the matter and directions for maintaining status quo, as on date, already stands issued. Also, the Board can consider the possibility of initiating appropriate action under the provisions of the Bihar Hindu Religious Trusts Act, 1950 (hereinafter referred to as the “Act”).

State accepted and taken on record.

In view of the same, learned counsel for the petitioners does not press the present petition reserving liberty to initiate appropriate proceeding, should the need so arise, under the provisions of the Act.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	10.01.2022
Transmission Date	

