

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (PIL) No.1753 of 2020

Dr. Nishikant Dubey Petitioner
Versus

1. Union of India
2. Ministry of Home Affairs, Govt. of India, North Block, New Delhi
3. The State of Jharkhand through its Chief secretary, having its office at Project Building, Dhurwa, Ranchi
4. The Deputy Commissioner, Deoghar
5. Baba Baidhnath Temple Management Board through its Chairman officiating at Baba Baidhyanath Temple Campus, Deoghar
6. The Panda Dharma Rakshni Sabha through its President, having its office at Baba Baidhyanath Temple Campus, Deoghar

... .. Respondents

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD**

For the Petitioner: Mr. Ravi Prakash Mishra, Advocate
For the Respondents: M/s. Piyush Chitresh (A.C. to A.G.), Rajiv Sinha
(A.S.G.I.),

Oral Order
02/Dated: 26.06.2020

With consent of the parties, hearing of this matter has been done through video conferencing.

This writ petition in the form of *pro bono publico* has been filed by the petitioner seeking a relief to issue a writ of mandamus commanding upon the respondents to allow the reopening of Baba Baidhyanath Jyotirlinga Temple at Deoghar and Baba Basukinath Temple at Basukinath and holding 'Shravani Mela' and allowing the devotees to offer prayers during Hindi month of 'Shravan and Bhado' with such precaution and at such scale as the respondents may deem fit and proper keeping in view the outbreak of Covid-19 pandemic.

As prayed, let the State of Bihar through its Chief Secretary be impleaded as party-respondent No.7.

The Office is directed to make necessary amendment by adding the aforesaid party in the writ petition.

Mr. Vinit Chandra, learned A.C. to Mr. S.P. Roy, G.A.-Bihar waives notice on behalf of the newly added respondent No.7.

It is made clear that the State of Bihar has been impleaded as a party to the writ petition for the reason that it is well known to all that the devotees in the form of *Kanwaria* collect sacred water from the Ganges from Sultanganj, which is situated in Bihar, and carry it to Deoghar as offerings for the Deity. In such a situation, the view of the State of Bihar will also be necessary.

Mr. Piyush Chitresh, learned A.C. to A.G., appears on behalf of the State of Jharkhand and submits that he would receive instruction in that regard as to what preparations are going on for the *Shravan* month by the State Administration.

Since it is informed that the Deputy Commissioner, Deoghar is the Chairman of the Baba Baidyanath Temple, let the notice be served upon the Deputy Commissioner, Deoghar through the State of Jharkhand itself within two days.

Since the matter is urgent, let the affidavits be filed on behalf of the State of Jharkhand, the State of Bihar as well as respondent No.5.

Put up this matter on 30.06.2020 as first case subject to any part-heard.

Let the name of Mr. S.P. Roy, learned counsel who represents the State of Bihar, appear in the cause-list on behalf of respondent-State of Bihar.

Let a copy of the writ petition be served upon the learned counsel appearing for the State of Bihar either physically or through electronic media by tomorrow.

(Dr. Ravi Ranjan, C.J.)

(Sujit Narayan Prasad, J.)