

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3355 of 2015

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Nirala Sahkari Grih Nirman Samiti Ltd. through its Honorary Secretary Satya Narayan Singh S/o Late Jio Nandan Singh, resident of Village Ekauna Ghat, P.S. Brahara, District Bhojpur, at present residing at Mohalla Keshari Nagar, Ekauna Kothi, Patna-800024, P.S. Shastri Nagar, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Registrar Co-operative Societies, Bihar, Patna.
3. The Dy. Registrar (H.Q.) Co-operative Societies, Bihar, Patna.
4. The District Co-operative Officer, Patna.
5. Sri Sonu @ Abhishek Kumar S/o Sri R. Singh @ Maharana Pratap Singh, resident of Village Vishnupur, P.O. & P.S. Wazirganj, District Gaya at present residing at Ramjichak, P.O. & P.S. Digha, District Patna.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the Respondent/s : Mr. P.K. Verma, AAG-5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 02-09-2015 The petitioner has questioned the order dated 25.6.2014 passed by the District Co-operative Officer, Patna in Miscellaneous Case No. 10 of 2009 whereby a direction has been issued to the petitioner to execute a registered sale deed in favour of the private respondents.

There is no dispute on the legal position that the order impugned is appealable under Section 48(6) of the Bihar Co-operative Societies Act, 1935 (hereinafter referred to as 'the Act') and the petitioner without exhausting the appellate remedy so available to him has moved this Court directly.

In the circumstances, the writ petition is disposed of with liberty to the petitioner to exhaust the appellate remedy so available to him under ‘the Act’ and any such appeal being filed would be considered on its own merit and be disposed of in accordance with law.

(Jyoti Saran, J)

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