

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4047 of 2015



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1. Shri Shyamdev Jaiswal, S/o Jagdish Jaiswal, resident of Village and Post- Rampur Tilak, Ex-Chairman of Rampur Tilak, Primary Agriculture Credit Co-operative Society Ltd., Banmankhi Block, District- Purnea.
 2. Shri Gulabchand Mandal, S/o Sri Sahdev Mandal, resident of Village and Post - Gangaili, Ex-Chairman of Maharajganj- 2, Primary Agriculture Credit Co-operative Society Ltd, Banmankhi Block, District - Purnea.
 3. Md. Ismail, S/o Late Phulmohamad, Ex-Chairman of Tiyarpara Primary Agriculture Credit Co-operative Society Ltd. Amour Block, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary.
2. The Principal Secretary, Department of Co-operative, Government of Bihar, New Secretariat, Patna.
3. Registrar, Co-operative Society, Government of Bihar, Patna.
4. The District Co-operative Officer, Purnea.
5. The Managing Director, the Purnea District Central Co-operative Bank Ltd., Purnea.
6. The Branch Manager, the Purnea District Central Co-operative Bank Ltd., Banmankhi Branch, Purnea.
7. The Branch Manager, the Purnea District Central Co-operative Bank Ltd., Amour Branch, Purnea.
8. Bihar State Food and Civil Supplies Corporation Ltd. through its Managing Director, Sone Bhawan, Birchand Patel Marg, Patna.
9. The Manager of Bihar State Food and Civil Supplies Corporation Ltd., Banmankhi, Purnea.
10. The Manager of Bihar State Food and Civil Supplies Corporation Ltd., Amour, Purnea.
11. The Block Development Officer -cum- Election Officer, Banmankhi, Purnea.
12. The Block Development Officer -cum- Election Officer, Amour, Purnea.

.... Respondent/s

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With
Civil Writ Jurisdiction Case No.4345 of 2015

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1. Raj Kumar Sharma @ Raj, S/o Late Basant lal Das, Village and Post Rupauli, Ex- Chairman of Rupauli North Primary Agriculture Credit Co- operative Society Ltd., Banmankhi Block, District- Purnea.
2. Dilip Yadav, S/o Late Thakur Prasad, Village and Post- Devottar, Ex-Chairman of Koshisharan Devottar Primary Agriculture Credit Co-operative Society Ltd., Banmankhi Block, District- Purnea.
3. Ramesh Kumar Yadav @ Ramesh Yadav, S/o Shri Baidyanath, Village and Post - Bhanga, Chairman of Chandpur Bhanha Primary Agriculture Credit Co- operative Society Ltd, Banmankhi Block, District- Purnea.
4. Surendra Kumar Suman, son of Sri Sitaram Mandal, Village and Post-

Bhavanipur, Chairman of Sonma Primary Agriculture Credit Co-operative Society Ltd. Bhavanipur Block, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary.
2. The Principal Secretary, Department of Co- operative, Government of Bihar, New Secretariat, Patna.
3. Registrar, Co-operative Society, Government of Bihar, Patna.
4. The District Co-operative Officer, Purnea.
5. The Managing Director, the Purnea District Central Co-operative Bank Ltd, Purnea.
6. The Branch Manager, the Purnea District Central Co-operative Bank Ltd, Banmankhi Branch, Purnea.
7. The Branch Manager, the Purnea District Central Co-operative Bank Ltd, Bhavanipur Branch, Purnea.
8. Bihar State Food and Civil Supplies Corporation Ltd, through its Managing Director, Sone Bhavan, Birchand Patel Marg, Patna.
9. The Manager of Bihar State Food and Civil Supplies Corporation Ltd. Banmankhi, Purnea.
10. The Manager of Bihar State Food and Civil Supplies Corporation Ltd., Bhavanipur, Purnea.
11. The Block Development Officer -cum- Election Officer, Banmankhi, Purnea.

.... Respondent/s

Appearance :

(In CWJC No.4047 of 2015)

For the Petitioner/s : Ms. Mira Kumari
For the Respondent-State : Mr. Yogendra Pd. Sinha, AAG-15
Mr. Rajeev Kumar Sinha, AC to AAG-15

For the respondents-BSFC : Mr. A.N. Rai
For the Respondent No.5 : Mr. Rakesh Kumar Jha

(In CWJC No.4345 of 2015)

For the Petitioner/s : Ms. Mira Kumari
For the Respondent-State : Mr. Shyam Kishor Sharma, GA-1
For the respondent-BSFC : Mr. A.N. Rai
For the Respondent No.5 : Mr. Rakesh Kumar Jha

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 10-08-2015

A counter affidavit has been filed in each of the writ petitions on behalf of the Bank. Let it be kept on record.

In each of the writ petitions final orders have been passed in the surcharge proceedings.



In view of the statutory provisions underlying section 40(3) of the Bihar Cooperative Societies Act, 1935 (hereinafter referred to as 'the Act') providing for appeal against an order of the Registrar passed under sub-section (1) of section 40 of 'the Act', the writ petitions are disposed of affording liberty to the petitioners to question the final order so passed in their respective surcharge proceedings before the State Government and any such appeal being filed within four weeks from today shall be considered and disposed of by the prescribed authority in accordance with law and after giving opportunity of hearing to the petitioners bearing in mind that the matters were pending consideration before this Court.

(Jyoti Saran, J)

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