

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12333 of 2015

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Jeemal Ansari son of late Kamsuddin Ansari, resident of village-Chand
Bigha, P.S. Rafiganj, Aurangabad-824 125

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Co-operative, Government of Bihar, "Vikash Bhawan", 2nd Floor, Room No. 280, Jawahar Lal Nehru Marg, Patna-800 015
3. The Registrar, Co-operative Societies, Bihar, "Vikash Bhawan", 2nd Floor, Room No. 256, Jawahar Lal Nehru Marg, Patna-800 015
4. The Divisional Joint Registrar, Co-operative Societies, Magadh Division, Gaya-823001

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.12432 of 2015

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Kuldeep Prasad son of late Jagdeo Prasad, resident of village-Rampur, P.S.
Nardiganj, Nawada-805109

.... Petitioner/s

Versus

- 1 The State of Bihar
- 2 The Principal Secretary, Department of Co-operative, Government of Bihar, "Vikash Bhawan", 2nd Floor, Room No. 280, Jawahar Lal Nehru Marg, Patna-800 015
- 3 The Registrar, Co-operative Societies, Bihar, "Vikash Bhawan", 2nd Floor, Room No. 256, Jawahar Lal Nehru Marg, Patna-800 015
- 4 The Divisional Joint Registrar, Co-operative Societies, Magadh Division, Gaya-823001

.... Respondent/s

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Appearance:

(In CWJC No.12333 of 2015)

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Respondent/s : Mr. Harish Kumar, GP-32

(In CWJC No.12432 of 2015)

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Respondent/s : Smt. Binita Singh, GP-31

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 13-08-2015 Heard Mr. Arvind Kumar, learned counsel appearing on

behalf of the petitioners and learned counsel for the State.



It is in the light of the communication of the Registrar, Cooperative Societies, Bihar, Patna as contained in letter no.4134 dated 13.7.2015 placed at Annexure-2 that the petitioners apprehend that the order passed by the Joint Registrar, Cooperative Societies, Magadh Division, Gaya in an election dispute arising from Election Dispute No. 72 of 2014-15 and Election Dispute No. 15 of 2014-15 initiated at the instance of the petitioners, whereby the election to the post of Chairman, Charkama Primary Agriculture Credit Cooperative Society and Handia Primary Agriculture Credit Cooperative Society have been set aside, is sought to be reviewed.

A very short submission has been made by Mr. Arvind Kumar, learned counsel appearing for the petitioners to question the impugned order. He submits that the order passed by the prescribed authority in exercise of powers vested under the Bihar Cooperative Societies Act, 1935 read with the provisions of the Bihar State Election Authority Act, 2008 more particularly in view of the provisions underlying section 13(2) thereof, the order of the prescribed authority on an election dispute is final and cannot be appealed against before any statutory authority nor can be reviewed by any statutory authority.

The apprehension expressed by learned counsel for the



petitioners emanates from the communication of the Registrar, Cooperative Societies whereunder information has been sought by the Registrar, Cooperative Societies from the Joint Registrar, Cooperative Societies, Magadh Division, Gaya as regarding the number of cases pending before them for the purpose of administrative review. The communication in no manner indicates that the order passed in the election dispute is sought to be reviewed by the Registrar.

In the circumstances and without going into the intricacy of the matter this Court disposes of the writ petitions with a liberty to the petitioners to raise their grievance in case the occasion so arises and their apprehension stands confirmed.

The writ petitions are disposed of accordingly.

(Jyoti Saran, J)

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