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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12358 of 2015

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Ram Nandan Ray, son of Khusheyal Roy, resident of Village- Vasarpur, P.S Taraini, District Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Election Officer, Bihar Election Authority, Barrack No. 11, Old Secretariat, Patna.
2. The Chief Election Officer, Bihar State Election Authority, Barrack No. 11, Old Secretariat, Patna.
3. District Magistrate -cum- District Election Officer (PACS), District- Sheohar.
4. District Cooperative Officer -cum- Deputy Election Officer, Sheohar (PACS).
5. Block Development Officer -cum- Election Officer, Block Chatauni, District- Sheohar.
6. Mohan Prasad Singh @ Mohan Singh, son of Late Baldeo Singh, resident of village- Chatauni, P.S. Traini, District- Sheohar.

.... Respondent/s

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Appearance :
For the Petitioner/s : Ms. Pronoti Singh
Ms. Sunita Kumari
For the Respondent/s : Mr. Pratik Sinha, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-08-2015 Heard the parties.

The petitioner has prayed for issuance of a writ in the nature of Mandamus directing the respondents to dissolve Chhatauni Primary Agriculture Credit Cooperative Society Tariani in the district of Sheohar (hereinafter referred to as 'the Society'), inter alia, on grounds that it is being run under the Chairmanship of a person who is disqualified for carrying out the affairs of 'the Society'.

Should the petitioner question the election and

continuation of the private respondent no.6 as to his eligibility, the remedy for the petitioner would lie by preferring election dispute under section 48 of the Bihar Cooperative Societies Act, 1935 (hereinafter referred to as 'the Act') and if the petitioner for any reasons seeks the dissolution of the Managing Committee of 'the Society', the remedy for him is available under section 41 of 'the Act'.

The petitioner, if so advised, may take recourse to the statutory remedy so available to him under 'the Act' but without exhausting the same the writ petition would not be maintainable and is accordingly disposed of.

(Jyoti Saran, J)

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