

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14265 of 2015

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Janardan Singh, S/o late Jagarnath Singh, Resident of village- Madhey, PO- Ankoraha, PS- Narari Kala Khurd, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Cooperative Department, Government of Bihar, Patna.
3. The Registrar, Cooperative Department, Government of Bihar, Patna.
4. The Joint Registrar, Cooperative Department, Government of Bihar, Patna.
5. The Joint Registrar, Cooperative Department, Magadh Division, Gaya.
6. The District Magistrate, Aurangabad.
7. The District Co-operative Officer, District- Aurangabad.
8. The Block Development Officer -cum- Election Officer, Nabinagar, District- Aurangabad.
9. Mantu Kumar Singh, S/o Late Dadan Singh, Resident of Village- Madhey, PO- Ankoraha, PS- Narari Kala Khurd, District- Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Nikesh

For the Respondent/s : Mr. S.K. Saraf, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 18-09-2015 Heard the parties.

The petitioner has questioned the election of private respondent to the post of Chairman of the Mahuawan Primary Agriculture Credit Cooperative Society in the district of Aurangabad under the provisions of the Bihar Cooperative Societies Act, 1935 read with the provisions of the Bihar State Election Authority Act, 2008, inter alia, on grounds that he held the post of Paid Manager and thus was not entitled to contest the election to the post of Chairman.

Perusal of the order manifests that the private respondent had resigned on 23.8.2014 i.e. much before the filing of his nomination on 22.9.2014. The order manifest that the private respondent resigned on 23.8.2014 which was accepted by the Managing Committee of the Society on the same day and he filed his nomination on 22.9.2014 and thus the date on which he filed his nomination he did not hold the post of any office of profit.

In the circumstances, no case for indulgence is made out and the writ petition is disposed of accordingly.

(Jyoti Saran, J)

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