

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13379 of 2015

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Ranjan Prasad, son of Surendra Prasad Yadav, R/o Village- Pachpokhariya,
P.S.- Mahuawa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Election Authority, 32 Harding Road, Patna.
3. The District Magistrate –cum- District Election Officer, East Champaran.
4. The Deputy Election Officer (PACS) –cum- District Cooperative Officer, East Champaran.
5. The Election Officer, Panchpokhariya PACS –cum- Block Development Officer, Adapur, East Champaran.
6. Panchpokhariya Primary Agriculture Credit Cooperative Society Ltd. (Panchpokhariya PACS) under Adapur Block, District- East Champaran.
7. Satyendra Kumar, S/o Kapildeo Prasad, R/o Village- Pachpokhariya, P.S. Mahuwa, P.O.- Turkauliya, District- East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Respondent/s : Mr. Md. Raisul Haque, SC-4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 28-08-2015 Counsel for the parties are present and have been heard.

The petitioner has questioned the election of the private respondent as Chairman of Panchpokhariya Primary Agriculture Credit Cooperative Society in the district of East Champaran, inter alia, on grounds of improper acceptance of nomination and that he was not eligible to contest the election.

Even when the petitioner questions the election of the private respondent on grounds of improper acceptance of

nomination and ineligibility to contest the election, he has not chosen to take recourse to the remedy so available to him under the Bihar Cooperative Societies Act, 1935, ‘the Rules’ framed thereunder as well as the provisions of the Bihar State Election Authority Act, 2008 by raising an election dispute. The petitioner, if so advised may take recourse to the same subject to the limitation so prescribed under the statute.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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