

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18281 of 2015

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Gauri Shankar Prasad @ Gauri Shankar Yadav, Son of Late Saukhi Yadav,
Resident of Village- Barhat, Gram Panchayat Barhat, P.S. Barhat, District-
Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Election Officer-cum-Block Development Officer, Barhat, P.S.
Barhat, District- Jamui.
3. The Registrar Co-operative Society
4. Rabindra Kumar Yadav @ Rabindra Yadav, Son of Sri Bishundeo
Yadav.
5. Thakur Hembram, Son of Bishnu Hembram.
Respondent Nos.4 and 5 are residents of Village+P.O.+P.S.
Barhat, District- Jamui.
6. Barhat Primary Agriculture Co-operative Societies Ltd. Barhat, P.S.
Barhat, District Jamui.
7. Sri Bishundeo Yadav, Son of Late Barun Yadav, Resident of
Village+P.O.+P.S. Barhat, District- Jamui.
8. Upendra Yadav, Son of Yamuna Yadav Resident of Village +P.O.+P.S.
Barhat, District- Jamui.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur
Mr. Satya Prakash Parasar

For the Respondent/s : Mr. A.K. Upadhyaya, SC-20

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 02-12-2015 Heard Mr. Surendra Kishore Thakur, learned counsel
appearing for the petitioner and learned counsel for the State.

The election of the petitioner to the post of Chairman,
Barhat Primary Agriculture Credit Cooperative Society in the
district of Jamui has been set aside, inter alia, on grounds that he
was not the resident of the operational village of the society and
secondly that he has not resigned from the post of Manager

which he was holding in the society.

It is strenuously argued by Mr. Thakur that the opinion is not correct, but despite such vigorous submission he has not been able to place on record or invite the attention of this Court towards any document filed before the prescribed authority to repel such opinion.

In the circumstances and in absence of any document filed before the prescribed authority that the petitioner was a resident of the operational village and that he has resigned from the post of Manager, the opinion recorded by the prescribed authority cannot be interfered with nor any indulgence is warranted and the writ petition is dismissed.

(Jyoti Saran, J)

SKPathak/Deepika-

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