

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14100 of 2014

Arvind Kumar son of Shri Sudhish Narayan Singh, resident of village - Biran Tola, P.O. Badalu Tola, Via Khaira, Police Station - Chapra Mufassil, District Saran (Chapra), at present resident of mohalla - Sadhanapuri near Shri Nandan Library, Police Station - Chapra Town, District - Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture, Government of Bihar, Patna.
2. The Principal Secretary, Vigilance Department, Government of Bihar, Patna.
3. The Director, Agriculture Department, Government of Bihar, Patna.
4. The District Magistrate, Saran at Chapra.
5. The Block Development Officer, Sadar Chapra, District - Saran.
6. The Block Agriculture Officer, Chapra, District - Saran.
7. The Registrar, Cooperative Societies, Bihar, Patna.
8. The District Cooperative Officer, Saran at Chapra.
9. Shri Gopal Prasad Yadav son of Shri Ram Dayal Rai resident of village - Goreya Tola, P.O. Badalu Tola, Police Station - Chapra Mufassil, District Saran PACS Chairman, Gram Panchayat Raj Badalu Tola, Anchal Sadar Chapra, District - Saran.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Jai Shankar Barnwal, G.A.-5
For the respondent no.9 : Mr. Ishwari Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 20-04-2015

The petitioner complains that the authorities of the Cooperative Department did not take any step against respondent no.9- the Chairman of the Primary Agriculture Credit Cooperative Society, Gram Panchayat Raj Badalu Tola, Anchal Sadar Chapra, District-Saran. Though it has been clearly established that the Chairman and other members of the Managing Committee have



misappropriate the funds of about Rs.20 lacs in the context of purchase of paddy, after receipt of the notice in the writ petition, the District Cooperative Officer, Saran filed a counter affidavit. We took serious exception to the indifference exhibited by him. Thereafter, we have also issued directions to him to take necessary steps in accordance with law.

Today, it is brought to our notice that an FIR was lodged against the 9th respondent and other members of the Society and the Managing Committee was also superseded on noticing the irregularities committed by it. Proceedings are said to have been initiated for recovery of the amount.

On behalf of the 9th respondent, it was pleaded that the Managing Committee was superseded just on the orders passed by this Court.

Heard Sri Umesh Kumar Mishra, learned counsel for the petitioner, Sri Jai Shankar Barnwal, learned Government Advocate-5 for the respondent State and Sri Ishwari Singh, learned counsel for respondent no.9.

The effort of the petitioner is to ensure that the amount said to have been misappropriated by the Society and the Chairman is recovered and necessary steps are taken in accordance with law. In the counter affidavit filed by the District Cooperative Officer, it was

almost admitted that serious irregularities in the context of purchase of paddy by paying bonus have taken place. Since corresponding action was lacking, we issued necessary directions and substantial steps have been taken for recovery of the amount and to get the wrong doers punished.

In view of these developments, we close the writ petition with a direction that the District Cooperative Officer shall carry the matter further by following the procedure prescribed by law.

Interlocutory application, if any, shall stand disposed of.
There shall be no order as to costs.

(L. Narasimha Reddy, CJ)

(Sudhir Singh, J)

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