

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18665 of 2015

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Sukhi Yadav, Son of Pachu Yadav, Resident of village- Satan Beladari,
P.O. Adampur, P.S. Giriyak, District Nalanda.

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Patna.
2. The Registrar, Co-operative Society, Bihar, Patna.
3. The Assistant Registrar, Co-operative Societies, Patna Commissioner, Patna.
4. The Block Development Officer-cum-Election Officer, Block-Giriyak, District Nalanda.
5. The General Manager, Central Co-operative Bank Ltd. District Nalanda.
6. The District Co-operative Officer, District Nalanda.
7. Ram Naresh Prasad Yadav, Son of Shiv Yadav, Resident of village-Barhaitha, P.O.- Adampur, P.S. Giriyak, District- Nalanda.

.... Respondents

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Appearance :

For the Petitioner : M/s. Rajendra Prasad and
Kumar Rajeev, Advocates

For the State : Mr. Chhotelal Misra, A.C. to G.A. 13

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 09-12-2015 Heard Mr. Rajendra Prasad, learned Senior Counsel

appearing on behalf of the petitioner and learned counsel for the

State.

The petitioner is aggrieved by the order dated
14.10.2015 passed by the Deputy Registrar, Co-operative
Societies, Patna Division, Patna in Election Case No.154 of 2014
whereby the election of the petitioner to the post of Chairman,
Adampur Primary Agriculture Credit Co-operative Society,
Nalanda (hereinafter referred to as “the PACS”) has been set aside

inter alia on ground of incorrect acceptance of nomination for the petitioner was held to be an associate member of the Society and not a share holder which made him ineligible to contest any election. Although Mr. Prasad has strenuously argued that no objection was raised by any of the contesting candidates during the course of the scrutiny of the nomination and the evidence so produced by the election petitioner showing him to be a co-opted member, was not worthy of reliance but then the opinion expressed by the Deputy Registrar to reject the nomination of the petitioner and to hold that the nomination of the petitioner was incorrectly accepted rests on the ground that the petitioner failed to produce any evidence of being a share holder of a Society. Even before this Court, there is nothing on record to dispel the opinion of the statutory authority.

The writ petition is dismissed.

(Jyoti Saran, J)

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