

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24377 of 2013

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1. Madhvendra Kumar Mishra Son of Late Shesh Kumar Mishra Resident
of Village- Pratappur, P.S.- Chiraiyan, District- East Champaran At
Motihari

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Co-
Operation, Bihar, Patna
2. The Principal Secretary, Department of Co-Operation, Bihar, Patna
3. The Registrar, Co-Operative Societies, Bihar, Patna
4. The District Co-Operative Officer, East Champaran at Motihari
5. The Assistant Registrar, Co-Operative Societies, Sikrahna, Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. Devendra Kr Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 17-09-2015 The petitioner is aggrieved by the order dated 11.11.2013 of

the Assistant Registrar, Cooperative Societies, Sikrahana, Motihari

whereby directions have been issued to implead 69 persons as

Member of the Primary Agriculture Credit Cooperative Societies

(hereinafter referred to as 'PACS'), Raghapur in the District of

East Champaran.

While the matter remained pending that a final order has

been passed by the Assistant Registrar to permit the Chairman of

the Raghapur PACS to add the 106 applicants in the membership

register. The order is placed at Annexure-20 to the I.A.No.2581 of

2014 and prior thereto is an order dated 22.1.2014 of the Registrar

Cooperative Societies in Membership Case No. 16 of 2014 placed at Annexure-19 whereunder he has allowed the application of one Umesh Prasad and some others claiming membership to the Raghapur PACS in exercise of powers vested in Rule 7(1)(a)(b)(c) read with Rule 7(4) of the Bihar Cooperative Societies Rules framed under the Bihar Cooperative Societies Act, 1935.

Mr. Sanjay Kumar learned counsel for the petitioner submits that the validity of the rules under which the power has been exercised is pending consideration before this Court. He thus submits that the writ petition may be disposed of reserving liberty for the petitioner to raise the issue in case the challenge to the vires of rule 7(4) of the rules is drawn in his favour.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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