

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24997 of 2013

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Rama Dhin Sahani, Son of Late Shiv Nandan Sahani, Resident of Village -
Dharhara, Police Station - Andhra Math, District – Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Co-operative Department, Bihar, Patna.
2. The District Co-operative Officer, Madhubani.
3. The Block Development Officer -Cum- In-Charge, Election Officer, Laukahi Anchal, Laukahi, Police Station -Laukahi, District- Madhubani.
4. The Circle Co-operative Officer, Jhanjharpur, District Madhubani.
5. Ram Bilas Mukhiya, Son of Chandar Lal Mukhiya, Resident of Village - Sonbarsa, Police Station - Laukahi, District – Madhubani.
6. Ram Balak Mukhiya, Son of Late Gulahi Mukhiya, Resident of Village - Dhahiyahi, Police Station - Laukahi, District – Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Md. N. Hoda Khan, SC-18

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 24-09-2015

Today is the second consecutive date when none appears on behalf of the petitioner. Counsel for the State is present.

Perused the records.

The petitioner has prayed for a mandamus to declare the entire election process for constitution of the Managing Committee of Laukahi Anchal Matasyajivi Sahyog Samiti Limited in the district of Madhubani as void.

According to the petitioner, the election process has been initiated without complying with the statutory

requirements.

In my opinion, the remedy for the petitioner to question the election of the Managing Committee of the society is by way of an election petition to be filed under the provisions of the Bihar Cooperative Societies Act, 1935 and the Rules framed thereunder and the provisions of the Bihar State Election Authority Act, 2008 and not by way of this writ petition.

The writ petition is misconceived and is disposed of accordingly.

(Jyoti Saran, J)

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