

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21136 of 2014

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Uday Pratap Singh, son of Ram Bachan Singh, resident of Village-Khaurhara, P.O.+ Police Station- Ramgarh, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Co-operative Societies, Bihar Patna.
2. The Registrar, Co-operative Societies, Bihar, Patna.
3. The District Magistrate, Kaimur at Bhabua.
4. The Sub-Divisional Officer, Kaimur (Bhabua).
5. The Block Development Officer, Ramgarh -cum- Returning Officer, Primary Agricultural Co-operative Society, Bandipur PACS Ramgarh, District, Kaimur (Bhabua).
6. The Bihar State Election Authority, Bihar, Old Secretariat Patna.
7. Amarnath Chaudhary @ Amar Mallah, son of Ganesh Mallah, resident of Village-Akhodhi, P.S.-Ramgarh, District-Kaimur, Bhabua.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Neeraj Nandan
For the Respondent-State	:	Mr. Kuber Pathak, AC to SC-14
For Respondent No.7	:	Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 11-02-2015 Heard Mr. Neeraj Nandan, learned counsel appearing on behalf of the petitioner, learned counsel for the State and Mr. Yogendra Kumar, learned counsel appearing for the respondent no.7.

The petitioner has prayed for declaration that 2014 election held in respect of Bandipur Primary Agriculture Cooperative Society under Ramgarh Block in the district of Kaimur at Bhabhua be declared illegal and void on grounds of several irregularities as well as for conducting fresh election.

Considering the nature of grievance raised, and in the

backdrop of the admitted position that the election is already over the issue raised by the petitioner can be a subject-matter of election dispute but not a matter to be decided in writ jurisdiction. The petitioner has his remedy under the provisions of the Bihar Cooperative Societies Act, 1935 and the Bihar State Election Authority Act, 2008 and if so advised, he can take recourse to the remedy so provided thereunder.

With the observation aforementioned the writ petition is disposed of.

It goes without saying that any such application filed by the petitioner within four weeks from today if accompanied with an application for condonation of delay would be considered and disposed of by the statutory authority bearing in mind the pendency of the issue before this Court.

(Jyoti Saran, J)

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