

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12998 of 2015

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Chandra Shekhar Tiwari son of late Braj Kishore Tiwari, resident of village
Turahapatti, P.S. Chanpatiya, District Champaran

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Co-
Operative Government of Bihar.
2. The Registrar Cooperative Societies, Bihar Patna
3. The District Magistrate Bettiah W. Champaran
4. The Deputy Development Commissioner cum Nodal Officer W.
Champaran
5. The District Cooperative Officer W. Champaran
6. The Block Development Officer Chanpatiya W. Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv.

For the Respondent/s : Mr. Jai Shankar Barnawal, G.A.5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

2 27-08-2015 The petitioner prays for an appropriate writ in the nature of mandamus commanding the respondents to include the names of all such persons who have filed their applications for the purpose along with prescribed fee whereunder they claim membership of the Primary Agriculture Credit cooperative Society, Purabi Turhapatti in the district of West Champaran. While making such prayer the petitioner also seeks a direction to the respondent No.6 i.e. Block Development Officer, Chanpatiya in the district of West Champaran to delete the name of some voters who according to the petitioner, are not members of the society.

Learned counsel for the petitioner while pressing the application has fairly accepted that except for filing of a

representation, he has not filed any application as per the remedy available to him under Bihar Cooperative Societies Act, 1935 (hereinafter referred to as 'the Act') and the rules framed thereunder before the appropriate authority.

For each of the two prayers made in this writ petition the petitioner has a remedy under the provisions of 'the Act' and the rules framed thereunder and the petitioner would first have to exhaust the statutory remedy so available to him before moving in writ jurisdiction.

In the circumstances, the writ petition is disposed of with the liberty to the petitioner to exhaust the statutory remedy so available to him under 'the Act' and the rules framed thereunder and it goes without saying that any such application shall be considered by the authority concerned and disposed of in accordance with law.

(Jyoti Saran, J)

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