

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15591 of 2015

=====

Chandan Paswan, son of Soti Paswan, resident of village- Belmohan, P.S. Phulparas, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Registrar, Bihar Co-operative Board, Patna.
3. The Principal Secretary, Co-operative Department, Bihar, Patna.
4. The District Magistrate, Madhubani.
5. The District Co-operative Officer, Madhubani.
6. The Circle Officer, Ghoghardiha, P.S. Ghoghardiha, District- Madhubani.
7. The Block Co-operative Extension Officer, Ghoghordiha, P.S. Ghoghardiha, District- Madhubani.
8. The Chairman PACS Gram Panchayat, Sudai Ratouli, P.S.- Phulparas, District- Madhubani.

.... Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shri Prakash Srivastava
		Mr. Hriday Narayan Harshit
For the Respondent/s	:	Smt. Nivedita Nirvikar, GA-10

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 07-10-2015 Heard Mr. Shri Prakash Srivastava, learned counsel

 appearing on behalf of the petitioner and learned counsel for

 the State.

The petitioner is aggrieved by the situs of the
godown being constructed by the society concerned.
According to the petitioner the godown is being constructed in
a different Panchayat.

Mr. Srivastava, learned counsel appearing on behalf
of the petitioner with reference to a letter of the District
Cooperative Officer, Madhubani dated 15.11.2014 present at



Annexure-6 and letter of the Sub-Divisional Officer, Sadar Madhubani dated 17.11.2014 present at Annexure-7 submits that the grievance of the petitioner stands supported and the action of the Chairman of the Society also stands explained. Mr Srivastava has also referred to the guidelines issued by the Cooperative Department present at Annexure-10 to submit that the guidelines provides that the construction have to be made by the cooperative societies within their operational area. He thus submits that in the circumstances the construction of PACS Godown in a different Panchayat is unsustainable.

I have heard learned counsel for the parties and I have perused the records.

The reports relied upon by Mr. Srivastava present at Annexures-6 and 7 was submitted in November 2014 and almost 11 months have elapsed from the issuance of such letters. Meaning thereby the godown must have taken its shape. Although Mr. Srivastava submits that it is yet to be completed but in consideration of the fact that even in the guidelines so issued by the Registrar, Cooperative Societies dated 4.2.2015 all that is mentioned is that the society concerned should as far possible make the construction within their operational area, in my opinion the very fact that the situs

of the godown is a matter of dispute, I am not persuaded to grant indulgence to the grievance so raised.

The writ petition is disposed of.

(Jyoti Saran, J)

SKPathak/-

U			
---	--	--	--