

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14990 of 2015

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Madheshwar Prasad S/o Late Jageshwar Prasad, resident of Village-
Kutwanchak, P.S. Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Co-operative Department, Bihar, Patna.
2. The Registrar, Co-operative societies, Bihar, Patna.
3. The Joint Registrar, Co-operative Societies, Magadh Division, Gaya.
4. The Health Primary Agriculture Credit Co-Operative Society Ltd. through its Chairman.
5. The Block Development Officer-cum-Election Officer, Makhdumpur Block, Jehanabad.
6. The Sona Lal Singh Yadav, S/o Raja Ram Yadav, Chairman of Bhaikh PACS at Prabhat Nagar, P.O.- Bhaikh, P.S. Makhdumpur, District- Jehanabad.
7. Ramashankar Singh, S/o Dina Nath Singh (Ex-Chairman) of Bhaikh PACS at Prabhat Nagar, P.O.- Bhaikh, P.S.- Makhdumpur, District- Jehanabad.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Upendra Kumar, Advocate

For the Respondent/s : Mr. Ritesh Kumar, SC-33

Mr. Kumar Kamal Nayan, AC to SC-33

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 24-09-2015 Heard the parties.

The petitioner is aggrieved by the order dated 27.6.2015 / 05.8.2015 passed by the Joint Registrar, Cooperative Societies, Magadh Division, Gaya in Election Case No. 414 of 2014 / 64 of 2015 whereby the election case has been dismissed.

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



The petitioner had filed an election case against the private respondent charging him of being a co-opted member having purchased a membership share of rupees one which merely made him a co-opted member but not to entitle him to contest any election. It is on these grounds that the election case was filed. The private respondent appeared before the court below and produced a membership share receipt for rupees 11 bearing receipt no. 6789 which is dated 20.8.2008. Upon production of the membership receipt by the opposite party, the petitioner was directed by the Joint Registrar to produce any evidence to controvert the position and which would show that he is a co-opted member but the petitioner failed to support his claim by supportive documents and it is in these circumstances as well as taking into consideration the receipt produced by the private respondent that the election case has been dismissed.

In the circumstances so discussed, I find no infirmity in the opinion expressed by the prescribed authority to interfere therewith and the writ petition is disposed of accordingly.

(Jyoti Saran, J)

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