

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.95 of 2011**

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M/S Sri Shyam Enterprises, Khemka Colony, Koat Bazar, District-Sitamarhi, Bihar a partnership firm through its partner Sailesh Kumar Agrawal, S/O Late Ram Kishan Agrawal, Resident of Koat Bazar, Sitamarhi, P.S- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Registrar of Cooperatives, Bihar, Patna
2. The Managing Director, Central Cooperative Bank Ltd., Sitamarhi Court, Dumra, District- Sitamarhi.
3. The Joint Registrar, Co- Operative, District- Muzaffarpur,.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Mrigank Mauli  
Mr.Samir Kumar

For the Respondent no.1: Mr. H.S.Roy, AC to PAAG

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

3      01-05-2015                      Though, by the order dated 04.01.2011, the notices were issued to the respondent nos.2 and 3 in admission matter, but despite valid service of notice, they have not entered appearance for contesting the claims raised on behalf of the petitioner. The respondent no.1 is represented by the learned State counsel, but no counter affidavit has been filed on behalf of the respondent no.1 either.

In view of nature of the grievances/claims raised on behalf of the petitioner, fully detailed in paragraph no.1 of the writ petition, this Court is of the opinion that, instead of keeping the matter pending awaiting appearance of respondent nos.2 and 3 as also the counter affidavit to be filed on their behalf, interest of justice shall be sub-served, if the petitioner is granted liberty to file a comprehensive representation with all supporting documents before the respondent no.2, raising all the pleas, which have been

raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed by the petitioner within a period of four weeks from today with a certified copy of the present order, then the respondent no.2 shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law by a reasoned and speaking order at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner.

If on consideration of the materials, the respondent no.2 comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential orders shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and the same is left to be decided by the respondent no.2 strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

**(Birendra Prasad Verma, J)**

Arvind/-

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