

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19302 of 2012

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1. Radhe Krishna Prasad Son Of Shri Punyadeo Rai Ex-Adhyaksh, Umdha - Fakuli Pacs, Resident Of Village Turkaulia, P.S. Chapra Muffasil, District Saran

.... Petitioner/s

Versus

1. The State Of Bihar
 2. Registrar, Cooperative Societies, Bihar, Patna
 3. Additional Registrar, Co-Operative Societies, Bihar, Patna
 4. Joint Registrar, Co-Operative Societies, Saran Division, Chapra
 5. District Co-Operative Officer, Saran, Chapra
 6. Chapra Central Co-Operative Bank (Under Liquidation) Through Its Liquidator Shri Binay Kumar, District Magistrate, Saran, Chapra
 7. Umdha - Fakuli Primary Agriculture Credit Co-Operative Society, Having Its Office At Village Turkaulia, P.S. Chapra Muffasil, District Saran Now Re-Organized Naini Pacs Through Its Adhuyaksh Braj Kishore Prasad, Son Of Punyadeo Rai, Resident Of Village Turkaulia, P.S. Chapra Muffasil, District Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Braj Bhushan Roy

For the Respondent/s : Mr. Narendra Kr. Singh, AC to GP15

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

3 20-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks quashing of the order, dated 16.4.1996, as contained in Annexure-5, passed by the Joint Registrar, Cooperative Societies, Saran Division, Chapra and order dated 19.8.2006, as contained in Annexure-6, passed by the Additional Registrar, Cooperative Societies, Bihar, Patna with a further prayer seeking a direction to respondent Nos. 2 and 3 to dispose of Revision Case No.164 of 1998 on merit.

It appears that Bihar Cooperative Societies Act, 1935 amended by virtue of Amending Act No.10 of 2002 notified on 27.8.2002 which was held to be prospective in nature and not retrospective by order dated 22.8.2012 passed in C.W.J.C. No.11995 of 2007.

In the result, the impugned orders as contained in Annexure-5 and 6 are quashed and the matter is remitted to the Additional Registrar, Cooperative Societies, Bihar, Patna (Respondent No.3) to decide the matter afresh exercising the power under section 56 of the Act.

This writ application is allowed to the extent indicated above.

(Samarendra Pratap Singh, J)

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