

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13006 of 2014

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Badri Nath Dubey, Son of Sri Gupteshwar Dubey, R/o Village Salempur,
P.S. Ara Mufassil, District Bhojpur (Ara).

.... Petitioner

Versus

1. The State of Bihar
2. The Chief Secretary Government of Bihar, Patna
3. The Secretary Co-operative Society Department, Government of Bihar,
Patna
4. The Registrar Co-operative Society, New Secretariat, Patna
5. The Joint Registrar, Co-operative Society, Patna Commissionery, Patna
6. The District Collector, Bhojpur at Ara.
7. The Managing Director, Cum-District-Co-operative Society Officer Co-
Operative Bank, Ara.
8. The Assistant Registrar, Co-operative Society, Bhojpur, Ara, Anchal,
Ara.
9. The District Audit Officer, Co-operative Society, Bhojpur at Ara.
10. The Chairman of Ijari, PACS Namely Ramji Singh,, S/o Sri Janaradan
Singh, R/o Vill. Mani Rai Ke Tola, P.S. Ara Muffasil, District – Bhojpur,
Ara.

.... Respondents

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Appearance :

For the Petitioner : Mr. Maya Shankar Mishra, Adv.
For the Respondents No. 1 to 9 : Mr. Brajesh Kumar, AC to AAG-11
For the Respondents No. 7 : Mr. Ishwari Singh, Adv.
Ms. Kiran Kumari, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 07-01-2015 The writ petition is filed as a Public Interest

Litigation with a prayer to direct the respondents to get

the matter, pertaining to the alleged irregularities and

misappropriation of public funds in Primary Agricultural

Cooperative Credit Society (P.A.C.C.S.), Ijari, District-

Bhojpur, enquired into.

The petitioner alleges that there was large scale misappropriation of public money given to the society, by the Managing Committee, in collusion with the district level administration. Reference is made to certain representations stated to have been made by the members of the society. It is alleged that no action has been taken thereon.

Heard learned counsel for the petitioner and learned counsel for the respondents.

Except stating that he is a public, the petitioner has not stated whether he is a member of P.A.C.C.S. Whatever be the latitude shown in respect of the Public Interest Litigation, in relation to government affairs, at the instance of any individual, the same cannot be extended as regards the affairs of a Cooperative Society. The Bihar Cooperative Societies Act and the Rules made thereunder provide for various eventualities in the administration. Facilities, such as audit, inspection and special audit, are provided for. In the event of any irregularities being noticed in such audit and inspection, surcharge proceedings can also be initiated against the persons found to have committed

such irregularities.

The petitioner did not submit any representation pointing out any act of misappropriation or misutilization of funds. He wants to harp on representation said to have been made by others. When the signatories to that representation are not feeling any grievance about the follow up action, we find it difficult to understand, how the petitioner can have any grievance. In case he is a member of the society, he can pursue the matter in accordance with law.

We, therefore, dismiss the writ petition, but with the above observation.

Interlocutory application, if any, stands disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Rajendra Kumar Mishra, J)

K.C.jha/Shail

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