

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16315 of 2015

- =====
1. Mahendra Pd. Singh, son of Keshwar Singh, resident of village - Bal Bhadurpur, P.O. Barahari, Police Station - Kargahar, District - Rohtas.
 2. Dina Nath Ray, son of Late Ram Narayan Rai, resident of village Dharmapura, P.O. Mujrah, Police Station - Nokha, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Co-operative Department, Government of Bihar, Patna.
2. Registrar, Co-operative Societies, Bihar, Patna.
3. The District Magistrate, Rohtas.
4. District Co-operative Officer, District - Rohtas.
5. Block Co-operative Officer, Karaghar, District - Rohtas.
6. Block Co-operative Officer, Norkha, District - Rohtas.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.11734 of 2015

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1. Smt. Sheela Devi, Wife of Shri Amarendra Singh, Resident of Village - Rajandih, Police Station - Rajpur, District - Rohtas.
 2. Shobhnath Kumar, Son of Sri Ashok Kumar, Resident of Village + Police Station - Rajpur, District - Rohtas.
 3. Arvind Kumar Singh, Son of Shri Biswanath Singh, Resident of village + P.O. - Sakhara, Police Station - Rajpur, District - Rohtas.
 4. Lok Nath Singh, Son of Mahesh Singh, Resident of Village - Chandipatti, P.O. - Sikariya, Police Station - Karakat, District - Rohtas.
 5. Rajeev Kumar Singh, Son of Late Brahma Singh, Resident of Village + P.O. - Hathini, Police Station - Nokha, District - Rohtas.
 6. Madan Lal Singh, Son of Sheo Janam Singh, Resident of Village - Kahuara, P.O. - Mani, Police Station - Bikramganj, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Co-operative Department, Government of Bihar, Patna.
2. Registrar, Co-operative Societies, Bihar, Patna.
3. District Magistrate, Rohtas.
4. District Co-operative Officer, District - Rohtas.
5. Block Co-operative Officer, Rajpur Block, District - Rohtas.
6. Block Co-operative Officer, Karakat, District - Rohtas.
7. Block Co-operative Officer, Nokha, District - Rohtas.
8. Block Co-operative Officer, Bikramganj, District - Rohtas.

.... Respondent/s

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Appearance :

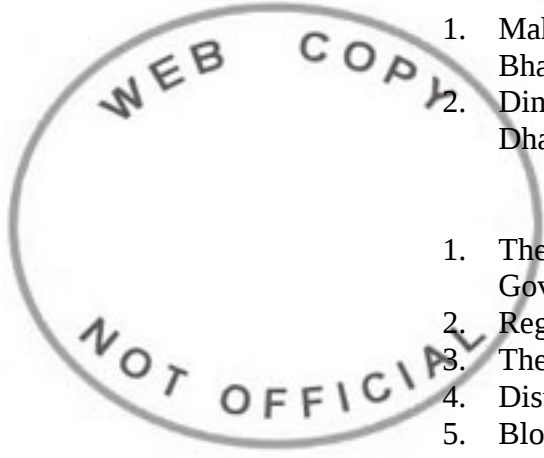
(In CWJC No.16315 of 2015)

For the Petitioner/s : Mr. Jitendra Prasad Singh

For the Respondent/s : Mr. Binodji Verma, GP-17

(In CWJC No.11734 of 2015)

For the Petitioner/s : Mr. Jitendra Prasad Singh



For the Respondent/s : Mr. Gautam Bose, AAG-8

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-10-2015

Heard Mr. Jitendra Prasad Singh, learned counsel appearing on behalf of the petitioners in the two writ petitions and learned counsel for the State in the respective writ petitions.

In each of the two writ petitions the petitioners happen to be the Chairman of the cooperative societies concerned have prayed for a direction to the authorities to permit them to purchase the crops from its members. Even while the petitioners are making such prayer they have not enclosed any document to show as to the circumstances which has prompted them to seek such relief. Until there is any restraint order by the Cooperative Department they cannot be rendered functionless.

It is stated by Mr. Jitendra Prasad Singh, learned counsel appearing for the petitioners that although no specific order has been issued to the petitioners to such effect but a news item has been published, a copy of which is placed at Annexure-1 to CWJC No.16315 of 2015. An order restraining function of an elected member cannot be done passed through print media and has to be served individually.

Be that as it may, considering the nature of

grievance raised herein I am of the opinion that the petitioners should first seek their remedy by filing application(s) before the Registrar, Cooperative Societies, Bihar, Patna who shall consider and dispose of the same in accordance with law but after giving opportunity of hearing to the petitioners.

It is stated by Mr. Singh that the petitioner in CWJC No.11734 of 2015 has already moved the Registrar, Cooperative Societies. If that be so, the Registrar, Cooperative Societies shall dispose of the grievance of the petitioner preferably within a period of three months from the date of receipt/production of a copy of this order.

The two writ petitions are accordingly disposed of.

(Jyoti Saran, J)

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