

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19687 of 2015

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Shafique Alam, son of Jabbar Alam, resident of Village and P.O. Brindaban Takiya, P.S. Uchkagaon, Block- Thawe, District- Gopalganj.

.... Petitioner/s

Versus

1. The State Election Authority, Bihar, Patna through the Secretary
2. The Joint Registrar, Cooperative Societies, Saran Division, Chapra.
3. The Block Development Officer-cum-Returning Officer (Cooperative Election), Thawe Block, District- Gopalganj.
4. Ikhlakh Ahmad, Son of Noor Ahmad
5. Iftekhar Ahmad, Son of Wakil Ahmad,
6. Subuk Tara, wife of Jubaid Alam, All resident of Village and P.O. Brindaban Takiya, P.S. Uchkagaon, Block- Thawe, District- Gopalganj.
7. Brindaban Primary Agriculture Credit Cooperative Society Ltd. through the Manager Jubaid Alam, village and P.O. Brindaban Takiya, P.S. Uchkagaon, Block- Thawe, District- Gopalganj.

.... Respondent/s

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Appearance:

For the Petitioner/s : Ms. Anita Kumari, Advocate

For the Respondent/s : Mr. U. S. S. Singh, GP-1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-01-2016 Heard Mr. S.B.K. Manglam, learned counsel for the petitioner and learned counsel for the State.

The petitioner is aggrieved by the order dated 04.9.2015 passed by the respondent Joint Registrar, Cooperative Societies in Case No. 8 of 2014, whereby the election case has been dismissed upholding the election of the respondent no. 4 to the post of Chairman.

The only issue that was raised by the petitioner to question the election of the respondent no. 4 is that he was a co-opted member and thus not eligible to contest.

Although Mr. Manglam has tried to support his case by saying that even though the petitioner as the Chairman of the

Society, has raised objection to the nomination of the private respondent but the impugned order reflects that a categorical stand was taken by the Returning Officer-cum-Block Development Officer to submit that no such objection was raised by the petitioner questioning the nomination of the private respondent.

Perusal of the order impugned further manifests that neither the voter list reflected any such ineligibility on the part of the respondent no. 4 of being a co-opted member nor the receipt produced by the petitioner for supporting his claim was found worthy of reliance as the signature was not clear. Apart therefrom, it is the petitioner himself who is the Ex-Chairman of the Society and has supplied the list of members for preparation of the voter list. The very fact that the voter list did not mention any such ineligibility on the part of the private respondent of being a co-opted member, I find no reasons to interfere with the impugned order.

This writ petition is dismissed.

(Jyoti Saran, J)

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