

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18977 of 2014

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1. Surya Narayan Thakur son of late Thakkan Thakur Resident of village - Sukhiat, Police Station - Jhanjharpur, District - Madhubani.
 2. Ashok Kumar Singh @ Ashok Kumar son of late Parmeshwar Prasad Singh Resident of Mohalla - Bhawani Bhawan, Meena Bazar Colony, Post - Bausi, Police Station - Bausi, District - Banka.
 3. Umesh Rai son of Bahadur Rai Resident of Village - Khaparpura Patori, Post - Araila, Police Station - Mauro, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Co-operative Department, Government of Bihar, Patna.
2. The Principal Secretary, Co-operative Department, Government of Bihar, Patna.
3. The Registrar, Co-operative Department, Government of Bihar, Patna.
4. The Joint Registrar, Co-operative Department, Government of Bihar, Patna.
5. The Managing Director, Bihar State Rural Co-operative Housing Federation Ltd. Patna.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Respondent/s : Mr. Purnendu Singh, G.P.-27

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 10-02-2016 The petitioners claim to be the members of the Bihar State Rural Cooperative Housing Federation at its Branch situated at Jhanjharpur, Banka and Darbhanga respectively and come complaining of irregularities in the functioning of the Housing Federation. Mr. Anil Kumar, learned counsel appearing for the petitioners submits that these petitioners on behalf of the Housing Cooperative Federation accepted the membership contribution from the applicants at these places and deposited it with the

Federation. The grievance of the petitioners is that although this exercise was carried out for and on behalf of the Housing Federation and they also issued receipts but since these members were not granted housing loan by the Federation that they instituted cases against the petitioners. It is thus the grievance of the petitioners that having acted on behalf of the Federation they are facing litigation for the mal-functioning of the Federation.

Although Mr. Anil Kumar has invited the attention of this Court towards a representation filed before the Registrar, a copy of which is placed at Annexure-20 series but in my opinion the issue raised by Mr. Anil Kumar concerns the business of the Housing Federation which is a registered Society under the Bihar Cooperative Societies Act, 1935, and *prima facie* appears a dispute in between the petitioners and the Federation and for which the rightful course for them would be to file a proper application before the Registrar under Section 48 of the Act which shall be considered and disposed of by the Registrar in accordance with law and after opportunity of hearing to parties preferably within six months of its filing.

The writ petition is disposed of.

(Jyoti Saran, J)

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