

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8638 of 2014

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1. Smt. Neera Jha, W/o- Dr. D.N. Jha, R/o Village- Nahar, P.O.-
Bhagawatipur, P.S.- Pandaul, District- Madhubani at present Flat No. 303,
Sitaram Apartment Sadhanapuri, Gardanibagh, District- Patna
..... Petitioner/s

Versus

1. The State of Bihar
2. The Registrar, Co-operative Societies, Bihar, Patna
3. The District Magistrate, Madhubani
4. The District Co-operative Officer, Madhubani
5. Administrator, Bihar State Housing Co-operative Ltd., Patna
6. The Executive Committee, Tirhut Grih Nirman Co-operative Society
Ltd., Madhubani
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kritya Nand Jha
For the Respondent/s : Mr. Sc16-Abbas Haider

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 21-10-2016 Heard Mr. Kritya Nand Jha for the petitioner and the
Counsel for the State.

After hearing the counsel for the petitioner and on perusal of the pleadings, it appears that there is a dispute which relates to non-allotment of a plot of land by the Housing Cooperative Society. Petitioner being a member of the society had deposited certain amount but the said plot was not allotted. This all happened in the year 1979-80. It is stated that a dispute was also filed before the Registrar wherein some order has been passed which is not being executed/implemented. The writ application prays for a direction upon the Housing Cooperative Society to provide her a plot free of encroachment. Alternatively, it is prayed

that the order of Registrar, Cooperative Societies should be directed to be implemented.

In the considered opinion of the Court, writ jurisdiction cannot be invoked in the present case. The High Court cannot be treated as the Executing Court of the orders of the authorities under the Bihar Cooperative Societies Act.

The writ application is dismissed. Dismissal of this application shall, however, not preclude the petitioner from ventilating her grievance before appropriate authority/forum in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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