

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1863 of 2016

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Binod Sahani S/o Sagar Sahani, R/o Village- Bairampur, P.O.- Bairampur,
P.S.- Biroul, Distt.- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Coopertative New Secretariat Government of Bihar Patna.
2. The Principal Secretary Department of Animal Husbandry and Fisheries Resources government of Bihar, New Secretariat, Patna Bihar.
3. The Director Department of Animal Husbandry and Fisheries Resources Government of Bihar New Secretariat Patna Bihar.
4. The Registrar Cooperative Societies Bihar New Secretariat, Patna.
5. The District Magistrate Darbhanga.
6. The Sub Divisional Magistrate Darbhanga.
7. The District Co Operative Officer Darbhanga.
8. Biroul Prakhand Matasjeevi Sahayog Samiti Ltd. through so called Secretary namely Amit Mukhiya R/o Village- Kamalpur, P.O.- Bhawanipur, P.S.- Biroul, Distt.- Darbhanga, Pin Code- 847103.
9. Sri Amit Mukhiya S/o Shree Shambhu Mukhiya R/o Village- Kamalpur, P.O.- Bhawanipur, P.S.- Biroul, Distt.- Darbhanga, Pin Code- 847103.
10. Pankaj Sahani S/o Ramchandra Sahani, R/o Village- Tarwara, P.S.- Biroul, Distt. Darbhanga, Pin Code- 847201.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Advocate
Mr. Chandan Priyadarshi, Advocate

For the Respondent/s : Mr. Arbind Kumar No. II, SC-17
Mr. Ashok Kumar Verma, AC to SC-17

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 29-01-2016 Heard Mr. Sanjeev Kumar Mishra, learned counsel
for the petitioner and counsel for the State.

Although the petitioner seeks removal of the respondent nos. 9 and 10 from the post of Principal Secretary / Treasurer as well as the member of the Managing Committee of the Biroul Prakhand Matasyajeevi Sahyog Samiti Limited in the district of Darbhanga but when the matter was taken up, it is submitted by Mr. Mishra that the issue of removal of these respondents for incurring a disqualification under Rule 23(i)(f) of

the Bihar Cooperative Societies Rules, 1959 framed under the Bihar Cooperative Societies Act, 1935 has been raised by the petitioner in Miscellaneous Case No. 152 of 2015 which after being heard was transferred by the Registrar to the Joint Registrar, Cooperative Societies, Darbhanga under Section 48(2) of the Act but by a subsequent order of the Registrar dated 10.8.2015 the said case has again been recalled by the Registrar to himself. He thus prays for appropriate direction to the Registrar, Cooperative Societies for expeditious disposal of the case.

Having heard learned counsel for the parties and considering the nature of grievance raised, the writ petition is disposed of with a direction to the Registrar, Cooperative Societies to consider and dispose of Miscellaneous Case No. 152 of 2015 in accordance with law and after opportunity of hearing to the petitioner and the respondent nos. 9 and 10 and considering that the issue raised involves disqualification of these respondents hence an early disposal preferably within three months of receipt / production of a copy of this order would be appreciated.

(Jyoti Saran, J)

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