

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17505 of 2014

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Anand Kishore Sinha, S/o- Late Nawal Kishore Prasad Singh, at present Honorary Secretary, Patliputra House Construction Society Ltd. Patna 201, Patliputra Colony, P.O.+P.S.- Patliputra District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Registrar Co-operative Societies, Bihar
3. The Hony. Secretary, Patliputra Co-operative House Construction Society Ltd. Patna
4. Dr. Pramod Kumar Verma, S/o- Late Ramakat Verma 224 'A' Patliputra Colony, P.O.+P.S.- Patliputra, District- Patna

.... Respondent/s

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Appearance:

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

For the Respondent/s : Mr. DIN BANDHU SINGH, G.P.-9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 12-01-2016

Heard Mr. Binod Kumar, learned counsel appearing for the petitioner and counsel for the State.

The petitioner is aggrieved by the order dated 01.4.2014 passed by the Registrar, Cooperative Societies in Review Case No. 106 of 2013 whereby the application filed by the petitioner seeking a review of the order passed in Review Case No. 228 of 2012, has been dismissed *inter alia* on grounds that no second review lies under Section 48(7) of the Bihar Cooperative Societies Act.

The short facts enumerated by Mr. Binod Kumar to question the impugned order is that Case No. 33 of 2012 was instituted by the



Vice President of the Patliputra Cooperative Housing Construction Society Ltd, Patna complaining of irregularities in holding meetings. The said case was disposed vide order passed on 11.10.2012, a copy of which is placed at page 114 of the writ petition on the basis of the submissions of the contesting parties that since the meetings of the Societies were now being held regularly hence the matter could be disposed of. The said consensual order was sought to be reviewed by the applicant / private respondent before the prescribed authority giving rise to Review Case No. 228 of 2012. He submits with reference to the copy of the review petition placed at page-115 of the proceedings vide Annexure-3 that a stand was taken by the review petitioner that the basis for the consent was not mentioned in the order disposing of Case No. 33 of 2012 and thus he prayed for re-hearing of the matter and its disposal on merits. The parties were noticed and the review petition was disposed of in consideration of the issues raised, by the Registrar, Cooperative Societies vide order passed on 16.7.2013 / 31.7.2013. The writ petitioner being aggrieved by the order passed in review, instead of questioning the same on merits by filing a statutory appeal chose to file a second review giving rise to Review Case No. 106 of 2013 and which has been dismissed by the impugned order passed on 01.4.2014 *inter alia* on grounds of maintainability and that no second review lies against any order.

I neither find any infirmity with the impugned order passed by the Registrar, Cooperative Societies in Review Case No. 106 of 2013 which has been dismissed on grounds of maintainability nor I am persuaded to interfere with the order passed in Review Case No. 228 of 2012 which order was always open for the petitioner to question by way of appeal.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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