

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No. 2425 of 2015**

**Along with**

**Interlocutory Application No. 9632 of 2016**

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Rajendra Prasad Kushwaha Son of Late Saryug Mahto, Resident of Village - Gaura, P.S. - Halsi, District - Lakhisarai, Elected Chairman of Bhanpura PACS Block Halsi, District - Lakhisarai.

.... .... Petitioner/s

Versus

1. The Chief Election Officer, Bihar State Election Authority, 32 Hardinge Road, Patna - 1.
2. The District Magistrate cum District Election Officer Lakhisarai.
3. The Registrar Bihar Co-operative Society, New Secretariate Patna.
4. The Joint Registrar, Co-operative Societies Bhagalpur Division Bhagalpur.
5. The District Co-operative Officer cum Deputy Election Officer, Lakhisarai.
6. The Block Development Officer Halsi cum Returning Officer of Bhanpura PACS Election 2014, P.S. - Halsi, District - Lakhisarai.
7. Md. Monim, Assistant Teacher, Public High School Suryagarha (Lakhisarai) cum Presiding Officer Bhanpura PACS Booth No. 1B, P.S. Halsi, District Lakhisarai.
8. Shiv Kumar Singh S/o Late Singheshwar Singh Resident of Village Tarhari, P.S. Halsi, District Lakhisarai.
9. Ravi Shankar S/o Panchanand Singh, Resident of Village Tarhari, P.S. Halsi, District Lakhisarai.
10. Vishal Kumar S/o Kapildeo Yadav, Resident of Village Gaura, P.S. Halsi, District Lakhisarai.

.... .... Respondent/s

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**Appearance :**

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|--------------------------|---|----------------------------------------------------|
| For the Petitioner/s     | : | Mr. Bharat Lal &<br>Mr. Muneshwar Prasad, Advocate |
| For the State            | : | Mr. Ashutosh Ranjan Pandey, A.A.G. 15              |
| For the Respondent No. 8 | : | Mr. Ram Vinay Prasad Singh, Advocate               |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date: 16-12-2016**

Re.: Interlocutory Application No. 9632 of 2016

Heard learned counsel for the parties.

Though the matter has been listed under the heading  
'For Orders (On Petitions)' for considering Interlocutory Application



No. 9632 of 2016, which has been filed by the respondent no. 8, for vacating the stay granted by this Court on 28.09.2015, but with consent of the parties, the main writ application itself is being disposed off.

Accordingly, Interlocutory Application No. 9632 of 2016, stands disposed off.

Re.: Civil Writ Jurisdiction Case No. 2425 of 2015

The grievance of the writ petitioner was that an Election Dispute Case No. 7 of 2014, could not have been filed directly before the Joint Registrar, Co-operative Societies, Bhagalpur Division, Bhagalpur as the forum of filing such election dispute is the Registrar of Co-operative Societies, who may in turn transfer it to the Joint Registrar also.

In view of the subsequent developments by which the case has been sent by the Joint Registrar, Co-operative Societies, Bhagalpur Division, Bhagalpur to the Registrar, Co-operative Societies, Bihar, Patna and thereafter a fresh case having been instituted, being Election Dispute Case No. 283 of 2016, the cause of action for the petitioner does not survive. Moreover, now the case has also been transferred to the Court of Deputy Registrar (Cane), Co-operative Societies, Bihar, Patna for final disposal.

In view of the aforesaid, the writ petition, having



become infructuous, stands disposed off.

The parties are at liberty to pursue the matter in  
accordance with law.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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