

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2365 of 2016

1. Nawada Vyapar Mandal Cooperative Society Ltd., Nawada, through its Chairman, Geeta Prasad Singh, Son of Late Jageshwar Singh, Resident of Village & P.O.- Ohari, P.S.- Nawada Town, Via- Kadirganj District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The District Cooperative Officer, Nawada-cum-Managing Director, Central Cooperative Bank Ltd., Nawada-cum-Nodal Officer of the District- Nawada for Paddy Procurement of the Farmers/ Agriculturists.
4. The Managing Director, the Central Cooperative Bank, Nawada.
5. The District Supply Officer, Nawada.
6. The Circle Officer, Nawada.
7. The Branch Manager, the Central Cooperative Bank, Main Branch, Nawada.
8. Dharm Nath Prasad Singh, Son of not known.
9. Anil Kumar Singh, Son of not known.
10. Akhilesh Kumar, Son of not Known.
11. Vidhya Nand Prasad Singh, Son of not known.
12. Surendra Singh, Son of not Known.
13. Ravindra Singh, Son of not Known.
14. Achuta Nand Singh, Son of not Known.
15. Viveka Nand Kumar Son of not Known.
16. Sridhar Singh, Son of not Known.
17. Haridwar Prasad Singh, Son of not Known.
18. Banke Bihari Prasad Singh, Son of not Known.
19. Subhash Singh, Son of not Known.
20. Rakesh Kumar, Son of not Known.
21. Abhay Kumar, Son of not Known.
22. Ajit Kumar, Son of not Known.
23. Rajendra Prasad Singh, Son of not Known.
24. Vimla Devi, Daughter of not Known. null
25. Mithlesh Kumar, Son of not Known.
26. Chandrabhushan Singh, Son of not Known.
27. Manoj Kumar, Son of not Known.
28. Kedar Singh, Son of not Known. All are Resident of Village & P.O- Ohari, P.S.- Nawada Town, Via- Kadirganj, District- Nawada.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Adv.

For the Respondent/s : Mr. Md. Raisul Haque, SC 4

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 26-02-2016

Heard Mr. Arun Kumar Arun, learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bank.

The petitioner is a Vyapar Mandal registered under the Bihar Cooperative Societies Act, 1935 and complains of the arbitrary action of the respondent Bank in though releasing the amount for payment of paddy price to the farmers but thereafter restricting its transfer to their accounts.

A counter affidavit has been filed and counsel for the State as well as the Bank have referred to the guidelines of the Scheme under which such procurement is to be made for the Kharif Marketing Season 2015-16 to submit that the petitioner society has been debarred from procurement of paddy for the current year 2015-16 since he has failed to clear the dues of the Bank for the previous year credit i.e. 2014-15.

Facing such opposition, Mr. Arun Kumar Arun prays for disposal of the writ petition while reserving liberty for the petitioner to pursue his remedy before the respondents for redressal of the grievance which prayer is found reasonable and is accepted.

The writ petition is disposed of accordingly.

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(Jyoti Saran, J)