

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16143 of 2012

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1. Surendra Prasad Son Of Late Munshi Raut Resident Of Magadh Colony
Road No. 12, P.S. Medical Gaya, District - Gaya
 2. Sheo Kumar Prasad Son Of Late Moti Ram Resident Of Gaiwal Bigha,
P.S. Rampur, District - Gaya
 3. Madan Singh Son Of Late Sheonandan Singh Resident Of Press Colony,
P.S. - Rampur, District - Gaya
 4. Prahlad Prasad Son Of Late Dal Ram Resident of Gaiwal Bigha, P.S.
Rampur, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gaya
3. The Registrar, Co-Operative Societies, New Secretariat, Patna
4. The Joint Registrar, Co-Operative Societies, Gaya
5. The Sub-Divisional Officer, Gaya
6. The Block Co-Operative Development Officer, Gaya
7. The Administrator, Press Credit Society Ltd., Gaya
8. The District Co-Operative Development Officer, Gaya
9. The Bihar State Election Authority, 32, Harding Road, Patna

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Phulendra Kumar, Advocate
For the Respondent/s : Mr. P.K. Verma, AAG-V
Ms. Jahan Ara, A.C. to AAG-V
For the Respondent No. 9: Mukesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 29-02-2016 Mr. Phulendra Kumar for the petitioners and counsel for
the State have appeared and have been heard.

Although the petitioners herein had made a prayer for
issuance of a writ in the nature of mandamus commanding the
authorities of the Bihar State Election Authority and the
Cooperative Department to hold election of the office bearers of
the Gaya Jail Press Credit Cooperative Society Limited, a
registered society under the Bihar Cooperative Societies Act, 1935

(hereinafter referred to as 'the Act') and the rules framed thereunder but on consideration of the counter affidavit filed by the District Cooperative Officer, it is manifest that the election to a number of Societies was notified vide notification dated 31.1.2013 present at Annexure-A/A to the counter affidavit in which the name of the petitioner society appears at serial no. 48. It is further stated in paragraph-6 that none from the Society turned up to file nomination. It is also stated at paragraph-9 that since the office bearers did not hand over the necessary papers and charge of the office that an FIR stands instituted.

In consideration of the stand so taken by the respondents Mr. Phulendra Kumar, learned counsel for the petitioners while praying for disposal of the writ petition seeks liberty for the petitioners to espouse their individual grievance for return of their deposits before the Registrar, Cooperative Society by taking recourse to the remedy available to them under 'the Act'. The prayer is reasonable and is accepted.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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