

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7536 of 2013

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Bhola Prasad Singh Son Of Late Sito Singh Resident Of Village - Bishanpur, Police Station - Dandari, District - Begusarai

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Managing Director, Central Co-Operative Bank Ltd. Begusarai-Cum-Member Secretary, District Cadre, Co-Operative Society Ltd. Begusarai Cum The District Co-Operative Officer, Begusarai
3. The District Adult Officer, Co-Operative Societies, Begusarai
4. The Assistant Registrar, Co-Operative Societies, Begusarai (Anchal Begusarai)
5. The Block Co-Operative Extension Officer, Dandari, Begusarai
6. The Branch Manager, Central Co-Operative Bank, Begusarai, Branch - Balia
7. The Senior Auditor, Primary Agriculture Credit Society (Pacs)
8. The Acting Chairman, Bank Pacs, Begusarai
9. The Pacs Manager, Bank Pacs, Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kamal Nayan Choubey, Sr. Adv.
For the State	:	Mr. Amaresh Kumar Sinha, AC to GA-1
For the Resp. Bank	:	Mr. K.K. Sinha, Adv. Mr. Dronachaya, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 17-08-2016

Heard learned counsel for the parties.

In this case the petitioner is claiming salary from July, 2002 to 2008 as at the same time the petitioner has also challenged the audit report.

Learned counsel for the petitioner has fairly submitted that for challenging the audit report, in view of Section 48 of the Bihar Co-operative Society Act, 1935, he will file proper application before the Registrar, Cooperative Society where the validity of audit report

and claim, arising from that audit report, will be gone into. Learned counsel for the petitioner also submits that if the respondents are claiming interest over the due amount then certainly vice-versa the petitioner is also entitled to the interest over the salary to which he is entitled.

There is no dispute in this proposition that when the PACS is claiming interest, the salary of the employee will also carry interest but, then, this Court is not deciding the case on merit as the issue will be decided by the Registrar of the Cooperative Society.

Considering the aforesaid observation, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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