

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8154 of 2016

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Vijay Kumar Mishra, Elected Adhyaksh, Son of Shri Ganesh Mishra,
Resident of Village + P.O.- Khanguradih, P.S.- Katra, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through its Secretary, Co-operative Department,
Patna.
2. Registrar, Co-operative Societies, Patna.
3. Bihar State Election Authority through its Secretary, 32, Harding road,
Patna.
4. District Magistrate Nodal Officer, PACS Election, Muzaffarpur.
5. District Co-operative Officer, Muzaffarpur, District- Muzaffarpur.
6. Block Development Officer –cum- Returning Officer of PACS Election,
Khanguradih Panchayat, Block- Katra, District- Muzaffarpur.

.....Respondent 1st Party

7. Ashok Mishra, Son of Vishwanath Mishra, Resident of Village-
Khangura Dih, P.O.- Khangura Dih Panchayat- Khangura Dih, Block-
Katra, District- Muzaffarpur.

.....Respondent 2nd Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Respondent/s : Mr. Prabhat Kr. Singh, SC-12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 10-05-2016 Even when the election of the petitioner put to question by
the private respondents in Election Dispute No.466 of 2014
remains pending for adjudication before the Registrar, Co-
operative Societies, he comes complaining that the election case
is not maintainable.

In my opinion since the matter is pending consideration
before the Registrar, Cooperative Societies for adjudication, the
petitioner is at liberty to raise all issues including the issue of

maintainability.

However since the dispute is yet at its nascent stage hence any opinion of this Court at this stage will prejudice the case of the parties.

Not being thus persuaded by the submissions of learned counsel to interfere in the jurisdiction so vested in the Registrar to adjudicate on the issue, the writ petition is disposed of.

(Jyoti Saran, J)

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