

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7603 of 2014

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Anil Kumar Singh S/o Sri Bansidhar Singh resident of Village + P.O. - Mujradh,
P.S. - Nokha, District - Rohtas.

.... Petitioner/s

Versus

1. The Sasaram Bhabhua Central Co-Operative Bank , Sasaram, Rohtas through its Managing Director.
2. The Managing Director, Sasaam Bhabhua Central Co-operative Bank, Sasaram, Rohtas cum Certificate Officer.
3. The Branch Manager, Sasaram Bhabhua Central Co-operative , Nokha Branch, Nokha, Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey, Adv.
For the Respondent/s : Mr. Ishwari Singh, Adv.
Mr. Manish Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-01-2016

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for
quashing the entire proceedings in Certificate Case No.
12/2013-14.

3. Learned counsel for the petitioner states that the
petitioner is the Chairman of Dharampura Primary Agricultural
Credit Co-operative Society Ltd. It is submitted that the
certificate proceeding is wholly illegal and unsustainable in law
as the Certificate Officer in the present case happens to be the
Managing Director of the respondent Bank itself. It is further

submitted that the present case stands fully covered by the judgment dated 19.01.2016 passed by this Court in C.W.J.C. No. 509 of 2014 (Birendra Prasad v. The Sasaram Bhabhua Central Co-operative Bank) and analogous cases with the following observations.

“5. Having regard to the stand of the parties and without entering into the details merit of the matter, the certificates issued against the petitioners by the Certificate Officer, Rohtas at Sasaram in the respective certificate cases are hereby quashed.

6. The writ petitions are accordingly allowed with liberty to the respondents to initiate fresh certificate proceedings in accordance with law”.

4. Learned counsel for the respondent Bank has no objection if the writ petition is disposed of in terms of the aforesaid C.W.J.C. No. 509 of 2014 and analogous cases.

5. Considering the stand of the parties, therefore, the present writ petition is disposed of inline with, and on the same terms as C.W.J.C. No. 509 of 2014 and analogous cases.

(Vikash Jain, J)

Md. Ibrarul/-

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