

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5875 of 2017

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1. Kalpana Devi, W/o Lalit Arun Jha, R/o Jiraul, P.S.-Harlakhi District Madhubani, at present Chairman of Bourhar Panchayat Primary Agriculture Credit Society Ltd, Harlakhi, Madhubani.

2. Sudhistab Narayan Jha, S/o Late Maneshwar Jha, residence of Village Jiraul, P.S. Harlakhi, District- Madhubani, Ex Chairman of the Bourhar Panchayat Primary Agriculture Credit Society Ltd., Harlakhi, Madhubani.

.... Petitioners

Versus

1. The State of Bihar, through Principal Secretary, Co-operative Department of Bihar.

2. The Principal Secretary, Department of Food & Consumers Protection, Govt. of Bihar, Patna.

3. The Principal Secretary, Co-operative Department, Bihar, Patna, Vikash Bhawan, Beli Road, Patna.

4. The Managing Director, Bihar State Food & Civil Supply Corporation Ltd, Sone Bhawan, Bihar, Patna.

5. The District Co-operative Officer, Madhubani cum Managing Director, Central Co-operative Bank, Madhubani.

6. The District Manager, Bihar State Food & Civil Supplies Corporation Ltd, Madhubani.

7. The Branch Manager, Rahika Central Co-operative Bank, Basopatti, Madhubani.

8. The Branch Manager, Rahika Central Corporation Bank, Rahika, Madhubani.

9. The Chairman of Rahika Central Co-operative Bank, Madhubani.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Respondent nos.7,8 & 9 : Mr. Purushottam Jha, Advocate

For the Respondent-BSFC : Mr. Harish Kumar, Advocate

For the State : Mr. Raj Ballabh Prasad Yadav, AAG-11

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 21-11-2017

This writ petition has been filed by the petitioners for
issuance of a direction to the respondent authorities for payment of
dues amount of Bourhar Panchayat Primary Agriculture Credit



Society Ltd., Harlakhi, Madhubani (for short ‘PACS’) pending against the respondent no.6.

It is admitted by the learned counsel for the petitioners that the supply of wheat to the Bihar State Food and Civil Supplies Corporation was made by the PACS. However, the PACS has not approached this Court for the relief prayed for in the present writ petition.

The petitioners have filed the writ petition in their personal capacity claiming themselves to be the Chairman and Ex-Chairman respectively of the PACS in question.

In the opinion of this Court, the writ petition by the petitioners for the relief prayed for is not maintainable due to mis-joinder and non-joinder of the parties. Accordingly, it is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.11.2017
Transmission Date	NA

