

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8992 of 2017

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Vikramshila Dugdha Udpadak Sahkari Sahyog Samiti Ltd. at Bhagalpur through its
Managing Director Maheshwar Nath Dwivedi Son of late Ram Siromani Dwivedi
Situating at Mohalla- Mayaganj, Hospital Road, Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Cooperative ,
Govt. of Bihar, Patna.
2. The Registrar, Cooperative Govt. of Bihar, Patna.
3. Sri. Yuvraj Mishra Son of Suresh Prasad Mishra Resident of Village+P.O.-
Dhamaul, Distt- Nawadah.
4. Dy. Registrar, Department of Cooperative, Govt. of Bihar, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 9045 of 2017

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Vikramshila Dugdha Udpadak Sahkari Sahyog Samiti Ltd., at Bhagalpur through
its Managing Director Maheshwar Nath Dwivedi, Son of Late Ram Siromani
Dwivedi, situating at Mohalla- Mayaganj, Hospital Road, Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Cooperative,
Govt. of Bihar, Patna.
2. The Registrar, Cooperative, Govt. of Bihar, Patna.
3. Sri Santosh Kumar Mishra, son of Late Badri Das Mishra, resident of Mohalla-
Piparpanti, Belan Bazar, Munger, District- Munger.
4. Dy. Registrar, Department of Cooperative, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance:

(In CWJC No.8992 of 2017)

For the Petitioner/s : Mr. Nikesh Kumar

For the Respondent/s : Mr. Chitranjan Sinha(Paag2)

(In CWJC No.9045 of 2017)

For the Petitioner/s : Mr. Nikesh Kumar

For the Respondent/s : Mr. Manoj Kr. Ambastha, SC-26

Mr. Tripurari Nath Ambastha, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT



Date: 21-08-2017

Heard learned counsel for the petitioner.

2. The petitioner was aggrieved by the interim order passed by the Registrar, Cooperative Societies granting stay from opening of tender bids by the petitioner for engaging Distributor-cum-Transporter in view of the fact, as earlier noticed by the Court in its order dated 25.07.2017, that pursuant to opening of the bids received earlier, all the tenders, except one, having been found to be incompetent, the entire tender has been cancelled, the Court is of the opinion that both the writ applications as well as the case filed by the private respondents before the Registrar i.e. Dispute Case No. 80 of 2017 and Dispute Case No. 79 of 2017 and all other cases tagged with the said cases have become infructuous as the tender notice under challenge before the Registrar itself has resulted in the entire process having been cancelled.

3. In view thereof, both the writ applications stand disposed off as infructuous. As a consequence, all the above referred cases pending before the Registrar, Cooperative Societies, Bihar, Patna also stand disposed off.

4. It is observed that the matter relating to maintainability of the petition before the Registrar under Section 48 of



the Bihar Cooperative Societies Act, 1935 is left open to be contested between the parties and decided, in an appropriate proceeding by the appropriate forum, as and when the occasion arises in future.

(Ahsanuddin Amanullah, J)

S.Sb/-

AFR/NAFR	N/A
CAV DATE	N/A
Uploading Date	26.08.2017
Transmission Date	

