

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.10656 of 2017**

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1. Meena Devi, Wife of Satyendra Prasad, resident of Village- Sinawan, Police Station- Parwalpur, District- Nalanda.
  2. Gulav Sah Praveen, Wife of Samir Alams @ Samresh Alam, Resident of Village- Sinawan, Police Station- Parwalpur, District- Nalanda.
  3. Dinesh Prasad Singh, Son of Late Sidheshwar Singh, Resident of Village- Natthu Bigha, Police Station- Parwalpur, District- Nalanda.
  4. Ram Briksh Mistri, Son of Late Jharis Mistri, Resident of Village- Madimath, Police Station- Parwalpur, District- Nalanda.
  5. Indu Devi, wife of Kapil Ram, Resident of Village- Kirtipur, Police Station- Parwalpur, District- Nalanda.
  6. Satendra Prasad, Son of late Rameshwar Mahto, Resident of Village Sinawan, Police Station- Parwalpur, District- Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Co-operative, Bihar, Patna.
2. The Principal Secretary, Department of Co-operative, Bihar, Patna.
3. The Registrar, Co-operative Societies Bihar, Patna.
4. The District Co-operative Officer, Nalanda at Biharsharif.
5. The Alawa Primary Agriculture Credit Society through its Paid Manager, Alawa, Police Station- Parwalpur, District Nalanda at Biharsharif.
6. Sri Rajiv Ranjan, Son of Shambhu Sharan Prasad Sharma, Resident of Village- Sinawan, Police Station- Parwalpur, District Nalanda at Biharsharif.
7. Shanti Devi, Wife of Sri Rajendra Singh, Resident of Village- Kirtipur, Police Station- Parwalpur, District Nalanda.
8. Satyabhama Devi, Wife of Sri Uma Shankar Prasad, Resident of Village- Alwas, Police Station- Parwalpur, District Nalanda.
9. Kamlesh Prasad, Son of Ram Lagan Singh, Resident of Village- Kirtipur, Police Station- Parwalpur, District Nalanda.
10. Baleshwar Prasad, Son of Late Doman Prasad, Resident of Sinawan, Police Station- Parwalpur, District Nalanda.
11. Bhagwan Prasad, Son of Sri Deoki Paswan, Resident of Village- Nathu Bigha, Police Station- Parwalpur, District Nalanda.
12. The Bihar State Election Authority, Bihar, Patna.

.... .... Respondent/s

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**Appearance :**

|                                  |   |                                                                                    |
|----------------------------------|---|------------------------------------------------------------------------------------|
| For the Petitioner/s             | : | Mr.                                                                                |
| For the State Election Authority | : | Mr. Mukesh Kumar, Advocate                                                         |
| For the State                    | : | Mr. Chittaranjan Sinha, PAAG-2<br>Mr. Shashi Shekhar Kumar Prasad,<br>AC to PAAG-2 |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date: 22-08-2017**



Heard learned counsel for the petitioners and the State.

2. Learned counsel for the petitioners is permitted to implead the State Election Authority as respondent no. 12. Let necessary correction be made during the course of the day. Mr. Mukesh Kumar, learned counsel appearing for the newly added respondent no. 12 accepts notice on its behalf.

3. The petitioners have moved the Court for the following reliefs:

*“ That, this is an application for issuance of an appropriate writ in the nature of mandamus commanding and directing the respondent authorities of the State of Bihar to dissolve the Managing Committee of Respondent No. 5 and further to direct the Respondent No. 4 to appoint the Administrator and/or alternatively to direct the Registrar, Co-operative Society, Bihar, Patna to dispose of the pending appeals of the petitioner i.e. Dispute Case No. 262 of 2015 in terms of the law laid down by this Hon’ble Court in C.W.J.C. No. 9491 of 2015 and its analogous cases which has been affirmed by the Division Bench of this Hon’ble Court vide order dated 11.11.2016 passed in L.P.A. No. 2029 of 2015 and/or for issuance of any other appropriate writ, order or direction which petitioners may be found legally entitled to in the facts and circumstances of this case.”*

4. At the very outset, learned counsel for the petitioners submitted that the issue involved is no more *res integra* as it has been settled by a Division Bench of this Court in the case of **Indradeo Prasad vs. State of Bihar** reported as **2016(4) PLJR 903**.



5. Learned counsel for the State does not object.

6. In view thereof, the writ petition stands disposed off by directing the Registrar Co-operative Societies, Bihar, Patna to dispose off Dispute Case No. 262 of 2015 expeditiously and in any case within four weeks from the date of production of a copy of this order, in accordance with law and in terms of the law decided in the case of **Indradeo Prasad** (supra).

**(Ahsanuddin Amanullah, J)**

P. Kumar

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