

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.84 of 2015

IN

Civil Writ Jurisdiction Case No. 11186 of 2014

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Pankaj Kumar. Son of Sri Vishnu Deo Rai. Resident of at - Raghunath Patti, P.O.-
Balukaram, P.S.- Vaishali, District - Vaishali.

.... Appellant/s

Versus

1. The State of Bihar through its Principal Secretary, Co-operative Department,
Govt. of Bihar, Patna.
2. The Registrar, Co-operative Society, Bihar, Patna.
3. The District Magistrate, Vaishali.
4. Block Development Officer, Mahua.
5. The Joint Registrar, Co-operative Societies, Muzaffarpur, Patna.
6. The District Co-operative Officer, Vaishali.
7. The Assistant Registrar, Co-operative Societies, Hajipur, Vaishali.

.... Respondent/s

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Appearance :

For the Appellant/s

:

Mr. Tuhin Shankar

For the Respondent/s

:

Mr. GA11- Partha Sarthy

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 18-05-2017

A fair preparation of voter-list is sine quo none for a free and fair democratic exercise of election, even if it be at the lowest level. The endeavor on the part of the appellant in the appeal is to ensure that members not favorably inclined and are detrimental to his interest, who constitute the voter-list, should be kept out. The Learned Single Judge rightly ordered a re-look on inclusion or exclusion in voter-list to be examined after giving an opportunity of hearing to one and all by moving the Registrar, Cooperative Society.



The Court does not understand as to why so much of resistance is being put up against the impugned order and direction, when such an exercise will lead to a more honest list of eligible members whose exercise of franchise will throw up a better elected representative.

No interference is warranted with the impugned order, dated 12.08.2014.

If the parties are still interested, they are free to move the Registrar, Cooperative Society.

However, the Court would also like to observe that the previous round of election of Primary Agricultural Society are already over and, therefore, whatever exercise is required to be done, will only have relevance for the next election.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
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