

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5373 of 2015

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1. Shiv Kumar Prasad, son of late Kuldip Das, resident of village-Rustampur,
Panchayat- Kena, Post Office- Kena Sarai, P.S.- Muffasil, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Co- operative Department, New Secretariat, Patna
2. Managing Director, Central Co-operative Bank Ltd., Nawada.
3. Anumandal Padadhikari, Nawada Sadar.
4. District Agriculture Officer, Nawada.
5. Block Supply Officer, Nawada.
6. The District Cooperative Officer, Nawada.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar
For the Respondent No.2: Mr. Purushottam Jha
For the State : Ms. Babita Kumari, AC to SC 1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-03-2017

Heard the parties.

In the present writ petition, petitioner is challenging the order dated 2.4.2013 passed by the Anumandal Padadhikari, Nawada Sadar (respondent no.3) in Case No.23 of 2013 by which licence no.83 of 2001 of Primary Agriculture Credit Committee's Shop under Public Distribution System has been cancelled on the ground that pay-in-slip for the period from October, 2012 to January, 2013 has not been deposited with Bihar State Food Corporation, Nawada.

This application has been filed by the Chairman of Kena



Samittee of Primary Agriculture Credit Cooperative Committee at Nawada who has been elected on 2.11.2014 by Election Officer, Nawada. It has been pleaded that petitioner came to know that shop of Public Distribution System vide registration no.83 of 2011 has been cancelled for non-payment of pay-in-slip to Bihar State Food Corporation, Nawada for the period from October, 2012 to January, 2013. It has been stated that on 12.11.2014, the meeting of concerned PACS was held in which petitioner was Chairman and several other members participated and it was decided vide resolution no.3 that shop of Public Distribution System run by PACS to be restored and a request letter was to be given to Anumandal Padadkhikari, Nawada so that consumer goods may be lifted from the District Co-operative Officer, Nawada for distribution through petitioner.

Detailed representation has been filed and claim has been made that no action has been taken thereon. The fact remains that in the entire writ petition nowhere it has been mentioned that ground which has been mentioned in the impugned order is any way illegal and not sustainable in law, inasmuch as there is provision for appeal. The petitioner in stead of approaching this Court should have filed an appeal.

In such view of the matter, petitioner is directed to file an



appeal before the appropriate forum.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.3.2017
Transmission Date	NA

