

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7976 of 2017

- =====
1. Sita Devi, Wife of Ramdeo Sahni, Resident of Village-Laxmipur, Police Station-Rajnagar, District-Madhubani.
 2. Shiv Kumar Sahni, Son of Makkhan Sahni, Resident of Village-Laxmipur, Police Station-Rajnagar, District-Madhubani.

.... Petitioner/s

Versus

1. State of Bihar through the Secretary, Co-operative Department, Government of Bihar, Patna.
2. Bihar State Election Authority, 32 Harding Road, Patna through its Secretary.
3. Chief Election Officer, Bihar State Election Authority, 32 Harding Road, Patna.
4. District Magistrate-cum-District Election Officer, Madhubani.
5. District Co-operative Officer-cum-Deputy District Election Officer, Madhubani.
6. Block Development Officer, Rajnagar-cum-Election Officer, District-Madhubani.

..... Respondents 1st Set

7. Rajnagar Prakhanda Matasyajivi Sahkari Sahyog Samiti, Simri Navtol, P.S.-Rajnagar, District-Madhubani through its Secretary.
8. Bhogendra Mukhiya, Son of Singheshwar Mukhiya at Present Adhyaksh of Rajnagar Prakhanda Matasyajivi Sahkari Sahyog Samiti, Simri Navtol, P.S.-Rajnagar, District-Madhubani.

.... Respondents 2nd Set

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Appearance :

For the Petitioner/s	:	Mr. Uma Kant Tiwary, Advocate
For the State	:	Mr. U. S. S. Singh, G.P. 19
For the Respondents No. 7 & 8	:	Mr. Deepak Kumar and Mr. P. P. Sinha, Advocates
For the Respondent no. 2	:	Mr. Mukesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 30-06-2017

Heard learned counsel for the petitioners; State; State
Election Authority and respondents no. 7 and 8.

2. The petitioners are aggrieved by the fact that as per
the voter list of the year 2017 for election of the Managing
Committee of *Rajnagar Prakhanda Matasyajivi Sahyog Samiti Ltd.*



(hereinafter referred to as the 'Society') in the district of Madhubani, 110 members have been added whereas 65 members have been deleted.

3. Learned counsel for the petitioners submitted that as per the direction issued by the State Election Authority as contained in Letter No. 17 dated 13.01.2017, the voter list of the year 2012 is to be the base and any addition of members or deletion of members has to be ratified by a meeting to be held after 31.01.2017 of the Managing Committee in presence of the Block Development Officer or his representative. It was submitted that no such ratification having been done, the election has to be conducted on the basis of the final voter on which the last election has been held in the year 2012.

4. Learned counsel for the State and State Election Authority do not dispute the position which is reflected from the aforesaid letter of the State Election Authority dated 13.01.2017.

5. At this juncture, learned counsel for the parties agreed that the names of 110 newly added members and 65 members who were deleted as compared to the 2012 list, be also added in the list and they be allowed to participate in the election to be held.

6. Having regard to the aforesaid, the writ petition stands disposed off with a direction to the respondent no. 6 to include the names of all the 110 persons who have been made members by



the new Managing Committee after 2012 and also the 65 members whose names have been deleted by the Committee after the 2012 election. The voter list stands amended/modified to such extent. They shall be entitled to participate in the election, including filing nomination for any post they may desire, as well as taking part in voting.

7. To facilitate matters, such persons, who desire to contest the election shall be allowed to file their nomination tomorrow, which is the date fixed, along with a web copy of this order duly attested by them to be produced before the respondent no. 6.

(Ahsanuddin Amanullah, J.)

P. Kumar

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