IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6629 of 2017

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Maqbul Hasan Ansari Son of Late Subhan Ansari, R/o Village- Daharak, P.S.- Ramgarh, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principle Secretary, Fishery and Animal Husbandry Department, Bihar Patna.
2. The Director, Fisheries Department, Bihar Patna.
3. The Chief Election Commissioner , Bihar Patna.
4. The District Magistrate, Kaimur at Bhabua.
5. The District Cooperative Officer, Kaimur at Bhabua.
6. The Registrar, District Cooperative Socity, Kaimur at Bhabua.
7. Block Development Officer Cum Election Officer of Fishery Cooperative Society, Block Ramgarh, Kaimur at Bhabua.
8. Secretary, Fisheries Society, Block Ramgarh, Kaimur at Bhabua.
9. President , Fisheries Society Block Ramgrh, Kaimur at Bhabua.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the State	:	Mr. Rishi Raj Sinha, SC 19 with
		Ms. Archana Prasad, AC to SC 19
For the Election Authority	:	Mr. Mukesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 16-08-2017

Heard learned counsel for the petitioner, State and State Election Authority.

2. The petitioner has moved the Court for the following

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reliefs:

> "*That the present writ application is being filed with prayer to issuance of writ in nature of mandamus or any appropriate writ (S), order (S) and direction to declare the draft of the voters/members of the fishery cooperative society Ramgarh block (Annexure-5) is illegal, void fit to be set aside on account of not following its guide line and direction of authorities and further to direct the respondent authorities to prepare a fresh voter list of the members of fishery cooperative society Ramgarh block according to the guideline and letter no. 17 dated 13.1.2017 issued by the Chief Election Commission, Bihar, Patna (Respondent no. 3).*"

3. After some arguments, learned counsel for the petitioner sought permission to withdraw the writ petition to file a dispute case under Section 48 of The Bihar Co-operative Societies Act, 1935 with regard to the persons who were not entitled to vote having been included in the voter list and allowed to vote.

4. In view thereof, the writ petition stands disposed off with liberty aforesaid.

5. If such an application is filed before the Registrar, Co-operative Societies within three weeks from today, the same shall be considered and disposed off on merits, expeditiously. It is made clear

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that the Court has not expressed any opinion on merits and further that it shall be open to the parties to raise all points available to them before the Registrar who shall consider the same and pass reasoned order.

(Ahsanuddin Amanullah, J)

Anjani/-

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