

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2203 of 2016

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Jieuri Primary Agriculture Credit Society (PACS) at Jieury P.S.-Pakribarawan
District- Nawada through Chairman Sri Deo Narain Singh S/o late Ramkishun
Singh r/o vill. - Dumri, P.S. - Pakribarawan, Distt. - Nawada.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar at Patna.
2. The Bihar State Food and Civil Supply Department, Govt. of Bihar at Patna.
3. The Managing Director, Bihar State Food & Civil Supply Corporation Ltd., Bihar at Patna.
4. The Registrar, Co-operative Department, Patna.
5. The District Magistrate, Nawada.
6. Additional District Magistrate, Nawada.
7. District Supply Officer, Nawada.
8. The District Co-operative Officer, Nawada cum M.D. Nawada Central Co-operative Bank, Nawada.
9. The District Manager, Bihar State Food and Civil Supply Corporation Ltd Nawada at Nawada.
10. Block Co-operative Extension Officer BCEO Pakribarwa Nawada.
11. The In-charge, Bihar State Food Corporation, Procurement Centre at Pakribarawan Nawada.
12. The Enforcement Officer for Paddy cum Block Development Officer, Pakribarawan, Block Pakribarawan, Bhojpur.
13. Jai Maa Netula Rice Mills Pakribarwa Nawada.
14. Ganesh Rice Mills Pakribarwa Nawada
15. Messer Maharani Rice Mills Maharath Nawada.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shashi Kant Kumar, Advocate
For the Respondent-State : Mr. Swapnil Kumar Singh, AC to GP-19
For the Respondent-BSFC : Mr. Shailendra Kumar Singh, Advocate



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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 17-04-2018

In the present writ petition, the grievance of the petitioner is that though the society has made purchase from its member-farmers and has also made payment through RTGS but this payment is not being honoured by the Nawada Central Co-operative Bank, Nawada inasmuch as the money has not been released in the respective account of the farmers.

The dispute is primarily between petitioner-society and Nawada Central Cooperative Bank, which is also a society registered under the Societies Registration Act.

Learned counsel appearing for the State and Bihar State Food Corporation have raised a preliminary objection regarding maintainability of the writ petition in view of the law laid down by a Special Bench of this Court in case of **The Organizer, Dehri C.D. & C.M. Union Limited vs. The state of Bihar and Ors. [2014(1) PLJR 695]**.

Realizing the difficulty in maintaining the writ petition in light of the aforesaid Special Bench judgment, learned counsel for the petitioner sought leave to withdraw the present writ petition in order to raise the dispute before the Registrar, Co-



operative Societies under Section 48 of the Bihar Co-operative Societies Act.

Leave is granted.

The application is disposed of.

In case the petitioner files an application under Section 48 of the Bihar State Co-operative Societies Act before the Registrar, Co-operative Societies within four weeks from today, he shall be required to dispose of the matter expeditiously in accordance with law.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.04.2018
Transmission Date	NA

