

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5799 of 2015

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1. Parsuram Tiwari Son of Late Bacha Tiwari, resident of village Kaparipur, P.O. -Naviganj Bazar, P.S.- Basantpur, District -Siwan .
 2. Jay Prakash Tiwari, Son of Late Ragho Tiwari, resident of village Gopalpur Kothi, P.O. -Gopalpur, P.S.- Basantpur, District -Siwan.
 3. Nand Kumar Singh, Son of Ram Narayan Singh, Resident of Village- Basouli, P.S. - Basanpur, P.O. - Naviganj, District- Siwan.
 4. Braj Kishore Singh, Son of Late Ram Narayan Singh, Resident of Village- Basouli, P.S. - Basanpur, P.O. - Naviganj, District- Siwan.
 5. Banwari Sharma, Son of Jhulan Sharma, resident of village- Teliya, P.O.- Naviganj, P.S. -Basantpur, District- Siwan.
 6. Ghughulli Rai, Son of Subh Narayan Rai, resident of village Teliya , P.O. Naviganj, P.S. Basantpur, District Siwan.
 7. Sachitanand Singh ,Son of Balmiki Singh, resident of village-Gopalpur, (Bhiswa) P.O. -Gopalpur, P.S.- Basantpur, District Siwan.

.... Petitioners

Versus

1. The State of Bihar through the Secretary, Co-operative Department, Govt. of Bihar.
2. Gopalpur PACs Limited, through the Chairman, Gopalpur PACs.
3. Block Co-operative Officer, Lakri Nabiganj (Siwan).
4. District Co-operative Officer, Siwan.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh, Advocate

For the Respondent/s : Mr. K.K. Jha, AAG-14

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-07-2018

The instant writ petition has been preferred by the



petitioners seeking indulgence of this Court to declare the petitioners' loan as agriculture loan instead of commercial loan.

The petitioners claim to be member of Gopalpur Primary Agriculture Credit Society, Siwan, which is co-operative society registered under the provisions of the Bihar Co-operative Societies Act, 1935.

In terms of Section 48 of the Bihar Co-operative Societies Act, 1935, if any dispute arises between a member and the society, the same may be preferred before Registrar, Co-operative Societies for its redressal.

In view of the availability of equally efficacious statutory remedy to the petitioners under Section 48 of the Bihar Co-operative Societies Act, 1935, I am not inclined to entertain the writ petition.

The writ application is dismissed.

(Ashwani Kumar Singh, J.)

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