

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5481 of 2015**

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Ajeet Kumar Bharti Son of Shri Sushil Yadav, resident of Village + P.O. -  
Pipra, Via- Chopra Ramnagar, P.S.- Banmankhi, District- Purnia.

... .. Petitioner

Versus

1. The State of Bihar through the Registrar, Co-operative Society, Bihar, Patna.
2. The District Magistrate-cum-Election Officer, Purnia.
3. The Joint Registrar, Co-operative Society, Purnia Division Purnia.
4. The Election Officer, PACS - cum- Block Development Officer, Banmankhi Block, District- Purnia.
5. The Block Co-operative Existence Officer (B. C. E. O.), Banmankhi Block, District- Purnia.
6. The Pipra Primary Agriculture Co-operative Society through its Manager.
7. The Bihar State Election Authority.
8. Mr. Tanvir Alam Son of Md. Nazirul Hasan, Resident of village- Bela Badan, P.O.- Pipra, District - Purnia
9. Sadan Kumar Son of Rajendra Sah, Resident of village + P.O.- Pipra, Via- Chopra Ramnagar, P.S.- Banmankhi, District- Purnia.
10. Sanjay Kumar Son of Late Poshan Sah Resident of village + P.O.- Pipra, Via- Chopra Ramnagar, P.S.- Banmankhi, District- Purnia.
11. Subodh Kumar Sah, Son of Late Ramadhih Sah Resident of village + P.O.- Pipra, Via- Chopra Ramnagar, P.S.- Banmankhi, District- Purnia.

... .. Respondents

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**Appearance :**

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|-------------------------|---|-------------------------------------------------------------|
| For the Petitioner      | : | Mr. Pranav Kumar, Advocate<br>Mr. Sumit Kumar Jha, Advocate |
| For the State           | : | Mr. Sriram Krishna, AC to SC 11                             |
| For Election Authority  | : | Mr. Mukesh Kumar, Advocate                                  |
| For the respondent no.8 | : | Mr. Arun Kumar, Advocate                                    |

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL JUDGMENT**

**Date : 26-11-2018**

The instant writ petition has been filed by the petitioner  
for quashing the order dated 11.03.2015 passed by the Joint



Registrar, Co-operative Societies, Purnea Division, Purnia  
whereby the election of the petitioner as a PACS Chairman, Pipra  
has been declared null and void on the ground that the petitioner  
was not a shareholder of the said co-operative society.

2. In view of an equally efficacious statutory  
remedy being available to the petitioner under clause (6) of  
Section 48 of the Bihar Co-operative Societies Act, 1935, which  
prescribes that any person aggrieved by any decision given in  
dispute transferred or referred under clause (b) or (c) of sub-  
section (2) of Section 48 may, within three months from the date  
of such decision, appeal to the Registrar and the petitioner having  
not availed of the same, I am not inclined to entertained the  
present application under extra-ordinary writ jurisdiction.

3. Accordingly, the writ petition is dismissed.

**(Ashwani Kumar Singh, J.)**

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 30.11.2018 |
| Transmission Date | NA         |

