

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4114 of 2018

In
Letters Patent Appeal No.434 of 2018

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1. Parmanadpur Primary Agriculture Cooperative Society (PACs) Block-Raghopur, P.s.- Karjain Bazar, Distt.- Supaul, through Its Chairman Yogendra Nath Mishra
 2. Karjain Primary Agriculture Cooperative Society (PACs) Block-Raghopur, P.s.- Karjain Bazar, Distt.- Supaul, through Its Chairman Bindeshwar Marik
 3. Piprahi Primary Agriculture Cooperative Society (PACs) Block-Raghopur, P.s.- Karjain Bazar, Distt.- Supaul, through Its Chairman Dinesh Prasad jaiswal

... .. Petitioner/s

Versus

1. Smt. Rachna Patil the Registrar Cooperative Department, Govt. of Bihar, Patna
2. Mr. Chandrashekhar Singh the Managing Director, Bihar State Cooperative Bank Limited, Ashok Raj Path, Patna
3. Mr Ravi Kumar the Branch Manager, the Bihar State cooperative Bank Limited , Bihat Branch, Begusarai
4. Mr. Arvind Kumar Paswan District Cooperative Officer, Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girijish Kumar
For the Opposite Party/s : Mr.Raj Ballav Pd. Yadav Aag 11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 28-11-2019 The petitioners, through the instant application has
prayed the following relief:

“For initiation of contempt proceeding against the
contemnors/opposite parties for willful disobedience of the
order dated 16.04.2018 passed by the Division Bench



comprising Hon'ble the Chief Justice and Hon'ble Mr. Justice Rajeev Ranjan Prasad in LPA No. 434 of 2018 by which liberty was granted to the petitioners to file application before Registrar, Co-operative Societies within period of 30 days from the date of the said order with direction to the opposite party no.1 to decide the said application within 60 days.”

Paragraphs 4 and 5 of the show cause filed by the opposite parties read as under:-

4. That the petitioners had preferred CWJC No. 18710 of 2017 before the Hon'ble Patna High Court for quashing the letter bearing memo no. 886 dated 20.11.2017 issued by the Branch Manager, Bihat Branch, Bihar State Cooperative Bank Ltd by which they have been declared defaulter, cancellation of PDS License as well as action under section 41 of the Bihar Cooperative Societies Act, 1935. the said writ petition was dismissed as non-maintainability vide order dated 23.01.2018. They then preferred LPA No. 434 of 2018 before the Division Bench of Patna High Court against the order dated 23.01.2018 passed in CWJC No. 18710 of 2017.

5. That the petitioners preferred the Misc. Case No. 84 of 2018 in compliance of the order dated 16.04.2018 passed in LPA No. 434 of 2018. The Registrar, Cooperative Societies after giving opportunity of to all the concerned parties and also



upon examination of the record of the case passed order vide order dated 04.12.2018 issued vide letter no. 791/RL dated 17.12.2018 keeping the matter in abeyance in view of letter bearing memo no. 2671 dated 04.05.2018 issued by the Central Bureau of Investigation.

In view of the same, we find that the opposite parties have now taken appropriate action and as such the present petition stands disposed of leaving it open to the petitioners to agitate the issue, if so advised, in accordance with law.

(Sanjay Karol, CJ)

Ravi/-

(Anil Kumar Upadhyay, J)

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