

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8578 of 2019

=====

Anil Kumar Singh Son of Rana Umakant Singh Resident of Village-
Kanakbigha, Police Station-Tharthari, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Co-operation, Bihar, Patna.
2. The Principal Secretary, Department of Co-operation, Bihar, Patna.
3. The Registrar, Cooperative Societies, Bihar, Patna.
4. The District Cooperative Officer, Nalanda at Biharsharif.
5. Primary Agriculture Credit Society, Asta through its Member Secretary, Tharthari, Nalanda at Biharsharif.
6. The Chairman, Primary Agriculture Credit Society, Asta, Tharthari, Nalanda at Biharsharif.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Respondent/s : Mr.Amit Prakash (GA13)

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-08-2019 This Court has disposed of the batch of cases, the
lead case being CWJC No.14396 of 2019 today itself.

In the present case, the order as contained in memo no.308 dated 20.02.2019 passed by the District Cooperative Officer, Nalanda is under challenge at the instance of one Anil Kumar Singh who claims to be a duly elected Chairman of the PACS in question. It is his grievance that the District Cooperative Officer, Nalanda has directed the PACs to admit 44 persons named in the list as members of the PACS but till date the PACS is not in receipt of the application of these 44 persons.



Learned counsel submits that it is not in dispute that the persons named in the list are residing in the gram panchayat which is the area of the present PACS and if they apply or their applications are received by the PACS the same will be considered in accordance with the Rules of 1959.

Learned counsel for the State submits that 44 persons named in the list have submitted their applications, however, in case the applications have not been made available to the PACS the same will be made available by the District Cooperative Officer, Nalanda within two weeks from today. Learned counsel submits that in fact these 44 persons have automatically become members of the concerned PACS after de-limitation of the old PACS of which they were members.

In the aforesaid view of the matter, the District Cooperative Officer, Nalanda is directed to send all the 44 applications together with the evidences in terms of his order vide memo no.308 dated 20.02.2019 to the concerned PACS so that an appropriate decision may be taken with respect to all the 44 persons in terms of the order passed by this Court today in CWJC No.14396 of 2019. At the same time, it will be open for all the 44 persons to make fresh applications within three weeks from today if so advised in accordance with the Rules of 1959.



Thereafter the Managing Committee of the PACS shall consider the same within the statutory period and inform the individual applicant by post as well as a copy of the intimation letter shall be submitted in the office of concerned Block Cooperative Extension Officer within two days from the date of decision.

This writ application stands disposed off.

(Rajeev Ranjan Prasad, J)

arvind/-

U			
---	--	--	--

