

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8553 of 2015

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Krishnadeo Prasad Singh S/o Late Parmeshwer Singh R/o Village Dumri, P.S.
Hasua, District Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Registrar, Co-operative Societies, Bihar, Patna.
3. The Joint Registrar cum Addl. Registrar, co-operative Societies, Bihar, Patna.
4. The Joint Registrar, Co-operative Societies, Magadh Division, Gaya.
5. The Nawada Central Co-operative Bank Ltd., Nawada through its Managing Director, Nawada Central Co-Operative Bank Ltd, Nawada at Nawada
6. The Chairman, Nawada Central Co-operative Bank Ltd., Nawada.
7. The Managing Director, Nawada Central Co-operative Bank Ltd., Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amresh Kumar Sinha, Advocate
For the State	:	Mr. Mritunjay Kumar, Advocate, A/c to AAG-6
for the Respondent No. 5 to 7:-		Mr. Pursushottam Jha Advocate.
		Mr. Vikash Kumar Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 04-09-2019 Learned counsel for the petitioner submits that conclusion arrived at by the Joint-Registrar in order dated 7.4.2015 without taking into consideration the fact that there was no sanction for institution of the dispute case and for other factual infirmities, is unsustainable in law.

The issue has been decided by the Joint-Registrar upon transfer being made under Clause (b) of Sub Section (2) of Section 48 of the Bihar Co-operative Societies Act, 1935.

Sub-Clause (6) of the same Section provides remedy



of appeal before the Registrar in respect of the orders passed by the Joint-Registrar upon a transfer under Sub-Clause (b). The Said provision also provides limitation of three months.

Since the disputed issues of fact are being raised and the writ petition has been pending in this Court for such a long time. This Court would grant liberty to the petitioner to approach the Registrar by filing his appeal in view of the said provision.

The Registrar Co-operative Societies would be obliged to dispose of the petitioner's claim on its own merits without raising issue of delay, on account of this matter pending in this Court for such a long time. In order to avail benefits of this order, the petitioner should ensure filing of appeal within four weeks from today.

The instant writ petition is disposed of.

(Madhuresh Prasad, J)

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