

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21847 of 2019

Vivek Sundaram, Son of Harakh Prasad, Resident of Village-Dhanraj Chapra,
P.O. Saidabad, P.S. Rani Talab (Kanpa), District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Cooperative, Government of Bihar, Patna.
2. The Registrar, Cooperative Societies, Bihar, Patna.
3. The District Magistrate-cum-District Election Officer (Cooperative), Patna, District-Patna.
4. The Assistant Registrar, Cooperative Societies, Danapur, District-Patna.
5. The District Cooperative Officer, Patna, District-Patna.
6. The Block Cooperative Officer, Bikram, District-Patna.
7. The Managing Committee of Saidabad Kanpa Primary Agriculture Credit Cooperative Society Ltd., P.O. Saidabad, P.S. Rani Talab (Kanpa), Block-Bikram, District-Patna through the Chairman.
8. Sri Sudarshan Prasad, Son of Ramchandra Yadav, Resident of Village-Andhari Mathiya, P.O. Saidabad, P.S. Rani Talab (Kanpa), District-Patna, presently Chairman of the Managing Committee of Saidabad Kanpa Primary Agriculture Credit Cooperative Society Ltd., P.O. Saidabad, P.S. Rani Talab (Kanpa), Block-Bikram, District-Patna.
9. The Branch Manager, Patliptura Central Cooperative Bank Ltd., Bikram Branch, P.O. and P.S. Bikram, District-Patna.
10. The State Election Authority, Bihar, Patna through the Chief Election Officer.
11. The Secretary, The State Election Authority, Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 21944 of 2019

Dinesh Kumar S/o Sri Kamta Prasad Resident of Village- Jamalpur, P.o.- Akhtiarpur, P.s.- Bikram, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Cooperative, Govt. of Bihar, Patna
2. The Registrar Cooperative Societies, Bihar, Patna
3. The District Magistrate-cum-District Election Officer (Cooperative) Patna, District- Patna
4. The Assistant Registrar Cooperative Societies, Danapur, District- Patna
5. The District Cooperative Officer Patna, Distt.- Patna
6. The Block Cooperative Officer Bikram, Distt.- patna



7. The Managing Committee of Akhtiarpur Manjhauli Primary Agriculture Credit Cooperative Society Ltd., P.o.- Akhtiyarpur, P.s.- Bikram, Block- Bikram, District- Patna through the Chairman
8. Sri Archit Kumar Singh S/o Late Arun Kumar Singh Resident of Village and p.o.- Akhtiarpur, p.s.- Bikram, Distt.- Patna, presently Chairman of the Managing Committee of Akhtiarpur Manjhauli Primary Agriculture Credit Cooperative Society Ltd., P.o.- Akhtiyarpur, P.s.- Bikram, Block- Bikram, District- Patna
9. The Branch Manager Patliputra Central Cooperative bank Ltd., Bikram Branch, P.o. and P.s.- Bikram, Distt.- Patna
10. The State Election Authority Bihar, Patna through the Chief Election Officer
11. The Secretary The State Election Authority, Bihar, Patna

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 21847 of 2019)

For the Petitioner/s : Mr.S.B.K. Mangalam, Adv.

For the State : Mrs.Shobha Choubey, AC to GP-19

For the Election Authority: Mr. Mukesh Kumar.

For the Patliputra Central Cooperative Bank: Mr. Bindhayachal Rai, Adv.

(In Civil Writ Jurisdiction Case No. 21944 of 2019)

For the Petitioner/s : Mr.S.B.K. Mangalam, Adv.

For the State : Mr.Uday Prasad, AC to GP-22

For the Election Authority: Mr.Mukesh Kumar, Adv.

For Patliputra Central Cooperative Bank: Mr. Bindhayachal Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-11-2019 Mr. Mangalam has at the outset informed this Court that against the improper rejection of membership application by the Managing Committee of the respondent PACS, a case being Membership Dispute Case No. 141 of 2019 and Case No. 147 of 2019 in terms of Section 48 of the Bihar Cooperative Societies Act, 1935 has been filed before the respondent no. 2 and those are pending consideration without any progress.

Learned counsel submits that the membership application of the petitioners have been rejected on flimsy grounds. Learned counsel submits that it would appear from the



impugned order in the two writ applications that those are in same verbatim and have been copied from each other and similar grounds have been provided which demonstrates that the rejection orders have been issued with premeditation of mind with some oblique purpose.

Learned counsel for the State and the Bank are present and submits that since the petitioners have already approached the respondent no.2 and their appeals are pending, a direction may be issued to the respondent no.2 for disposal of the application/appeal preferred by the petitioners.

In the given facts and circumstances of the case, both the writ applications are being disposed of with a direction to the Registrar, Cooperative Societies, Bihar, Patna (respondent no.2) to fix a date of hearing in Membership Dispute Case No.141 of 2019 and Case No.147 of 2019 within one week from the date of receipt/production of a copy of this order and dispose of the same as early as possible if possible within three weeks from the date of receipt/production of a copy of this order and shall consider any other relief which may be prayed by the petitioners.

(Rajeev Ranjan Prasad, J)

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