

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22754 of 2019

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Surendra Kumar, Son of Late Uma Shankar Singh, Resident of Village and Post Office- Kuhila, Police Station- Block- Akbarpur, District- Nawadah.

... .. Petitioner/s

Versus

1. The Bihar State Election Authority, Patna through Chief Election Officer, having its office at 32, Harding Road, Patna- 1.
2. The Chief Election Officer, (PACS Election), Bihar, Patna.
3. The District Magistrate-cum-District Election Officer (Co-operative Societies), Nawadah.
4. The District Co-operative Officer-cum-Assistant Registrar (Co-operative Societies), Nawadah.
5. The Block Development Officer, Akbarpur, District- Nawadah.
6. The Block Co-operative Officer, Akbarpur, District- Nawadah.
7. The Panti Primary Agriculture Credit Co-operative Societies through its Chairman namley Vijay Kumar, Panchayat- Panti, Block- Akbarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Respondent/s : Mr.Shushil Kumar (Gp22)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-11-2019 Heard learned counsel for the petitioner and

learned counsel for the respondents.

The petitioner has prayed for the following relief:-

“For issuance of a writ in the nature of mandamus directing and commanding the respondents to accept the membership of farmers who reside in Sewantha PACS who have already applied applications in prescribed performa for membership of Sewantha PACS online or manually but till date the Chairman of Sewanth PACS is



sitting tight over the matter and he has not sent any decision to the applicants individually/jointly after expiry of fifteen days time prescribed under the rule or fixed by this Hon'ble court vide order dated 27.08.2019 and further directing the respondents to accept the membership fee from the applicants of Sewantha PACS and to publish the name of all applicants in the voter list as election for Sewantha PACS are going to be held but the date of election was not declared.”

Our attention is invited to the fact that the elections are already stand notified vide notification dated 31st of October, 2019.

If that were so, we are afraid, we cannot entertain the present petition and, therefore, dispose of the present writ petition reserving liberty to the petitioner to raise all issues before the concerned authorities in accordance with law.

Our attention is also invited to such similar order dated 10.08.2009 passed in L.P.A. No. 1028 of 2009.

(Sanjay Karol, CJ)

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(Anil Kumar Upadhyay, J)

