

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 23833 of 2019

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Tunnu Kumar Mishra alias Tunnu Kumar, aged about 41 years, Son of Late Arbind Mishra, Chairman of Sonbarsa PACS, Block Charpokhari, resident of Village- Sonbarsa, P.S.- Charpokhari, District- Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The Principal Secretary, Bihar State Cooperative Societies Bihar at Patna.
2. The Registrar, Co-operative Societies, Bihar at Patna.
3. The Deputy Registrar, Co-operative Societies, Bihar at Patna.
4. The District Collector-cum-Magistrate, Bhojpur, Ara.
5. Chief Election Officer, Bihar State Election Authority, Bihar at Patna.
6. The Block Development Officer-cum-Returning Officer, Block- Charpokhari, P.S.- Charpokhari, District- Bhojpur (Ara).
7. Block Cooperative Officer, Charpokhari, P.S.- Charpokhari, District- Bhojpur (Ara).
8. District Cooperative Officer, Bhojpur (Ara).
9. The B.C.O., Inspector, Bhojpur, District- Bhojpur (Ara).
10. The Branch Manager, Central Cooperative Bank Ltd. P.S.- Charpokhari, District- Bhojpur (Ara).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Mr. Gaurav Prakash and Mr. Satyendra Prasad Singh, Advocates
For the State	:	Mr. Shailendra Kumar, AC to PAAG 2
For the BSEA	:	Mr. Mukesh Kumar, Advocate
For the CCBL	:	Mr. Bindhyachal Rai, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 02-12-2019

Heard learned counsel for the petitioner; learned AC to PAAG 2 for the State; learned counsel for the State Election Authority and learned counsel for the Central Cooperative Bank Limited.



2. Learned counsel for the petitioner is permitted to make correction in the relief no. IV. Let the same be done during the course of the day.

3. The petitioner has moved the Court for the following reliefs:

“I. That the present writ application is being filed in the nature of Certiorari for quashing the voter list published under the signature District Co-operative Officer and Block Co-operative Officer, Charpokhari dated 16.10.2019 (Annexure-5) to be invalid and nullity in the eye of law; on the ground that the final voter list doesnot contain the signature of the Sonbarsa PACS chairman, the process under the law has not been followed nor the order passed by the Hon’ble Patna High Court has been followed;

II. That the present writ application is being filed in the nature of Mandamus for a direction to the District Co-operative Officer and Block Development Officer, Charpokhari to accept the voter list for the final election as given by the Sonbarsa PACS as due process under the law has been followed under Bihar Co-operative Societies Rules, 1959 and further to include the names of the people for being the member of the said PACS as the farmers have applied on time and their membership have not been cancelled at any point of time;

III. That the present writ application is being filed in the nature of Mandamus to hold up the process of election of Sonbarsa PACS, Charpokhri, Bhojpur (Ara) till the name of the farmers of 791 are not included in the final voter list of the said PACS of Sonbarsa PACS, Charpokhri, Bhojpur (Ara).

IV. That the present writ application is being filed in the nature of Mandamus for a direction to the Block Development Officer, Charpokhri to dispose of the representation filed by



the petitioners dated 11.11.2019 to consider the case for being the member/voters of Charpokhri PACS; on the ground that the farmers have applied on time and the PACS has published the voter list but it has been ignored by the District Co-operative Officer, Bhojpur.

V. For any other relief/Reliefs for which the petitioner is entitled for.”

4. Though the matter has been listed on office note for removal of defects, but learned counsel for the petitioner submitted that the writ petition be disposed off in terms of prayer no. IV, which is for a direction to the respondent no. 6 to dispose of the representation filed by him on 11.11.2019.

5. Learned counsel for the respondents do not object.

6. In view thereof, with consent of learned counsel for the parties, the writ petition stands disposed off with a direction to the respondent no. 6 to dispose the representation filed by the petitioner on 11.11.2019, if already not disposed off, within one week from the date of production of a copy of this order before him.

(Ahsanuddin Amanullah, J.)

P. Kumar

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