

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 23905 of 2019**

Om Prakash Singh, aged about 51 years, Gender-Male, Son of Ram Binay Singh, resident of Village- Shekhpura Dih, P.O.- Dharhara Kalan, P.S.- Amnor, District- Chapra (Saran).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Co-operative Department, Government of Bihar, Patna.
2. The Additional Chief Secretary-cum- Principal Secretary, Department of Co-operative, Government of Bihar, Patna.
3. The Registrar, Co- operative Societies, Bihar, Patna.
4. The Collector, Chapra, District- Chapra (Saran).
5. The Deputy Registrar, Co-operative Societies, Bihar, Patna.
6. The District Co-operative Officer, Saran.
7. The Assistant Registrar, Co-operative Societies, Chapra, Saran.
8. The Block Development Officer, Amnor, District- Chapra (Saran).
9. The Bihar State Election Authority its Joint Secretary, Bihar, Patna.

..... Respondent/s

10. Ganesh Singh, Son of Late Ram Badan Singh, resident of Village- Shekhpura Dih, P.O.- Dharhara Kalan, P.S.- Amnor, District- Chapra (Saran), presently Chairman of Dharhara Kurd PACS Ltd., Block- Amnor, District- Chapra (Saran).

... .. Respondent/s

**Appearance :**

|                            |   |                                |
|----------------------------|---|--------------------------------|
| For the Petitioner/s       | : | Mr. Raj Kumar Mishra, Advocate |
| For the State              | : | Mr. Sanjay Kumar, AC to GA 13  |
| For the Election Authority | : | Mr. Mukesh Kumar, Advocate     |

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

**ORAL JUDGMENT**

**Date : 06-12-2019**

Heard learned counsel for the petitioner; learned AC to GA 13 for the State and Mr. Mukesh Kumar, learned counsel for the State Election Authority (hereinafter referred to as the 'Authority').



2. The petitioner has moved the Court for the following relief:

*“(i) A writ in the nature of writ of Mandamus or any other writ, orders or direction(s) to the respondents to enquire the voter-list of Dharhara Khurd PACS Ltd., Block-Amnour District-Saran (Chapra) which is published on 16.10.2019 and correct the aforesaid voter-list as per guidelines/rule prescribed as Coperative Society Act 1959.*

*(ii) Any other appropriate writ order or direction as your Lordship may deem fit and proper.”*

3. Learned counsel for the petitioner submitted that there has been grave irregularities in the preparation of voter list for election of the Managing Committee of Dharhara PACS Ltd. in Block-Amnour, District-Saran.

4. Learned counsel for the Authority has drawn the attention of the Court to the order of a Division Bench in the case of **Gajendra Singh vs. The State of Bihar & Ors.** (CWJC No. 22149 of 2019) dated 18.11.2019, in which the petitioner had moved for similar relief but the matter was disposed off in view of the election having been notified on 31.10.2019, with liberty to the petitioner to raise all issues before the concerned authorities, in accordance with law. It was submitted that in the present case also, the election has been notified on 31.10.2019.



5. Having regard to the aforesaid, the present writ application also stands disposed off in terms of the liberty given in the case of **Gajendra Singh** (supra).

6. The Court would only observe that it has not expressed any opinion on the merits of the matter.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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