

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23656 of 2019

=====

Satyender Kumar Son of Avadh Singh resident of Village- Pawa, Police Station- Deepnagar, in the district of Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Cooperative Department, Government of Bihar, Patna.
2. The Principal Secretary, Cooperative Department, Government of Bihar, Patna.
3. The Registrar, Cooperative Department, Government of Bihar, Patna.
4. The District Magistrate-cum- Collector, Nalanda.
5. The District Cooperative Officer, Nalanda.
6. The Block Development Officer, Biharsharif, Nalanda.
7. The Block Cooperative Officer, Biharsharif, Nalanda.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Respondent/s : Mr.Amit Prakash (Ga13)

=====

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.

Petitioner has prayed for the following relief/s:-

“i. To quash the order contained in Memo No.1299 dated 12.10.2019 issued under the signature of District Co-operative Officer, Nalanda, by which the application filed on behalf of the petitioner in pursuance to the order dated 23.8.2019 passed in C.W.J.C. No.15932 of 2019 has been rejected under sub-Section 2 of Section



44(AQ) of Bihar Co-operative Society Act, 1935 in most illegal and arbitrary manner.

ii. Also to direct the respondents to include the name of only one member of the Family in the Voter list of Pawa PACCS published in the year, 2019 as from one family the name of 4-5 members or more of the family have been included in the Voter list of Pawa PACCS published in the year, 2019 which is against the mandate of law.

iii. Also to direct the respondents to remove/delete the name of other members of the family (except one member of the family), whose name have been included in the voter list of Pawa PACCS published in the year, 2019 as with oblique motive and mala fide intention and the name of 4/5 members or more members of one family has been included in the voter list of Pawa PACCS under Bihar Sharif Block in the district of Nalanda.

iv. Also to direct the respondents to declare the members of Pawa PACCS of such farmers who applied On Line for membership of Pawa PACCS and further direct to include their name in the Voter list of Pawa PACCS published in the year, 2019.

v. Also to direct the respondents to revise the Voter list of Pawa PACCS published in the year, 2019 by excluding the name of illegal voters and also to include the name of other farmers who submitted their application On Line for membership of Pawa PACCS.

vi. Also to direct the respondents to include the name of the members of Pawa PACCS in the voter list of Pawa PACCS published in the year, 2019 who applied on-line for the membership of Pawa PACCS.

vii. Also for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.”



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)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

U			
---	--	--	--

