

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23646 of 2019

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Lalbabu Prasad Yadav @ Lalbabu Yadav, S/O- Jagarnath Rai, R/O- Village -
Mhghi, P.S.- Adapur, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-Operative Department, Government of Bihar, Patna.
2. The Additional chief Secretary cum Principal Secretary, Department of Co-operative Bihar.
3. The Registrar, Co-operative Societies, Bihar, Patna.
4. The Deputy Registrar, Co-operative Societies, Bihar, Patna.
5. The District Co-operative Officer Motihari, East Champaran-cum- Assistant Registrar Co-operative Society, Motihari, East Champaran.
6. Bihar State Election Authority through its Joint Secretary, Bihar, Patna.
7. The Block Development Officer-cum-Block Election Officer, Co-operative Societies, Block - Adapur, District- East Champaran.
8. Shiv Chandra Mohan Dubey, the Chairman Barwa Primary Agriculture Co-operative Societies, P.S. and Block- Adapur, Dist.- East Champaran.
9. The Secretary, Managing Committee, Barwa Primary Agriculture Co-operative Societies, P.S. and Block- Adapur, Dist.- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh, Advocate
For the State	:	Mr. A. K. Dubey, AC to AAG-11
For the Elector Authority:		Mr. Mukesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 29-11-2019

Heard learned counsel for the petitioner; learned AC
to AAG-11 for the State and learned counsel for the State
Election Authority (hereinafter referred to as the 'Authority').

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

(i) To set aside the list of members of Barwa



primary Agriculture credit co-operative society prepared on and after 2014 election of the primary agriculture credit co-operative society against the cut off date 16/10/2019 and 30/06/2019 because, it is prepared contrary to the prospective of law.

A true photo copy of relevant Page of the list of the members of Barwa Primary Agriculture credit co-operative society prepared against cut off dt; 16/10/2019 and 30/06/2019 are annexed herewith and marked as annexure – 1 & 2 respectively to the petition.

- (ii) For holding that the prepared list of members of Barwa primary Agriculture credit co-operative society till 16/10/2019 suffer infirmity due to delist of several members of the society as such whose name were entered in the voter list of 2014 and further be directed the concerned respondents to enter the name of the members whose name were delisted in the list of said members.*
- (iii) For holding the approved name of 214 members as members of the barwa Primary Agriculture credit co-operative society by the managing committee as genuine and further be directed the concerned respondents to enter the name of those members in the list of members of the said society against the cut off date 16/10/2019.*
- (iv) To grant any other relief(s) for which the petitioner is entitled to in the facts and circumstances.*

3. Learned counsel for the State Election Authority submitted that on 18.11.2019, a Division Bench of this Court in the case of **Gajendra Singh Vs. State of Bihar and ors.** (CWJC No.22149 of 2019), in which similar relief was prayed for,



declined to interfere on account of election having been notified on 31st October, 2019, which is also applicable in the present case. It was submitted that the said person has been given liberty to move before the authority concerned. It was submitted that letter no.1841 dated 16.11.2019 of the Authority deals with the issue.

4. In view thereof, the writ petition stands disposed off in terms of the order passed in the case of ***Gajendra Singh*** (supra).

(Ahsanuddin Amanullah, J)

J. Alam/-

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