

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23385 of 2019

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Prem Niti Singh, son of late Akshaybat Singh, resident of village- Kakhari,
Police Station- Kashichak, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Co-operative, Vikash Bhawan, New Secretariat, Patna.
2. Principal Secretary, Department of Co-operative, Vikash Bhawan, New Secretariat, Patna.
3. The Registrar, Co-operative Societies, Bihar, Patna.
4. District Magistrate-cum-District Election Officer, Co-operative, Nawada.
5. District Co-operative Officer, Nawada.
6. Block Development Officer-cum- Election Officer, Kashichak, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mr. Uday Prasad, AC to GP-22
For the State Election Authority	:	Mr. Mukesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 28-11-2019

Heard learned counsel for the petitioner; learned AC to GP-22 for the State. Learned counsel for the State Election Authority has also assisted the Court.

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

“That this is an application on behalf of the petitioner for issuance of a writ in the nature of mandamus, commanding and directing the respondent-authorities to conduct the ensuing election 2019 of the Primary Agriculture Credit Society, Khakhari (PACS) on the basis of voter-list submitted by the PACS on 16.10.2019 and the petitioner further prays for issuance of a



direction to delete the names of illegal voters, who have been included and inducted without following due process established under the law and, thereafter, the ensuing election be conducted on the basis of fresh/modified voter-list dated after taking into consideration the voter-list submitted by the PACS on 16.10.2019 and/or to pass such other order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances stated hereunder."

3. Learned counsel for the State Election Authority has brought to the notice of the Court the order dated 18.11.2019 passed in CWJC No.22149 of 2019 by a Division Bench of this Court in which a writ petition filed by **Gajendra Singh** for similar relief, has been disposed off in view of election having been notified. However, the petitioner has been given liberty to raise all the issues before the concerned authority in accordance with law. It was submitted that in the present case also the election has been notified on 31st October, 2019.

4. Counsel for the petitioner drew attention of the Court to the representation filed by him before the Block Development Officer-cum-Election Officer, Kashichak, Nawada, for Khakhari PACS on 05.11.2019, which, according to him, is still pending.

5. In the aforesaid background, the present application stands disposed off with a direction to the respondent no. 6 to



dispose off the representation filed by the petitioner, if already
not disposed off, within the time specified in the guidelines of
the State Election Authority as contained in Letter No.1841
dated 16.11.2019.

(Ahsanuddin Amanullah, J)

J. Alam/-

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