

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 24444 of 2019

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Bablu Mandal (Male), aged about 44 years, Son of Ganesh Mandal, Resident of Village-Maheshadih, P.S.-Banka, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Cooperative Department, Government of Bihar at Patna.
2. The Registrar, Cooperative Societies, Bihar, Patna.
3. The District Magistrate-cum-District Election Officer (Co-operative), Banka, District-Banka.
4. The District Co-operative Officer, Banka, District-Banka.
5. The Block Development Officer-cum-Returning Officer, 2019 Cooperative Election, Banka, District-Banka.
6. The Block Cooperative Officer, Banka, District-Banka.
7. The State Election Authority, Bihar, Patna through the Chief Election Officer.
8. The Secretary, the State Election Authority, Bihar, Patna.
9. Rajendra Prasad Mandal, (Male), aged about 56 years, Son of Late Chaturi Mandal, Resident of Village-Maheshadih, P.S. Banka, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S B K Mangalam, Advocate
For the State	:	Mr. Sanjay Kumar, AC to GA 13
For the Co-operative Election	:	Mr. Mukesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner; learned AC
to GA 13 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. For issuance of an appropriate writ in the nature of CERTIORARI for quashing/setting aside the order dated 30.11.2019 passed by the Respondent No. 5 whereby and where under he has been pleased to reject the nomination paper of the Petitioner on frivolous ground on the basis of objection filed by the Respondent no. 9 with an intention to declare the Respondent No. 9 as a Chairman of Shadpur (Lakari Tola) PACCS as uncontested.

II. For issuance of an appropriate writ in the nature of mandamus commanding and directing the Respondent No. 5 to accept the nomination of the petitioner for the post of Chairman of Shadpur PACCS for which election is scheduled on 09.12.2019 and allow the petitioner to contest the election on the ground if the in the voter list published by the Returning Officer, the petitioner has been shown as full member of the society the Returning Officer was not justified in rejecting his nomination if any objection was raised to this effect the petitioner being co-member of the Society is not eligible to contest the election.

III. For issuance of an appropriate writ in the nature of prohibition restraining the Respondent No. 5 to not declare the Respondent No. 9 as a Chairman of the aforesaid PACCS on the ground of rejection of the nomination of the petitioner.

IV. For grant of other relief or reliefs for which deemed entitled into the facts and circumstances of the case."

3. After some arguments, as prayed for by learned counsel for the petitioner, the matter is disposed off as



withdrawn with liberty to move before the appropriate forum, in
accordance with law.

(Ahsanuddin Amanullah, J.)

P. Kumar

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