

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20258 of 2018

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Lalbabu Sahani, Son of Suryadev Sahani, Resident of Village Darba, Police Station Tajpur Halai O.P., Block and Circle- Patori, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Cooperative, Government of Bihar, Patna.
3. The Registrar, Cooperative Societies, Department of Cooperative, Government of Bihar, Patna.
4. The District Cooperative Officer, Samastipur District at Samastipur.
5. The District Magistrate, Samastipur District at Samastipur.
6. The Superintendent of Police, Samastipur District at Samastipur.
7. Darba Prathamik Krishi Sakh Society Limited having its registered office at Village Darba, Police Station: Tajpur (Halai O.P.), Block & Circle: Patori, District: Samastipur.
8. Sambhu Prasad, Son of Ram Bilash Ray, Chairman of Darba Prathamik Krishi Sakh Society Limited, resident of Village Darba, Police Station Tajpur Halai O.P., Block and Circle- Patori, District- Samastipur.
9. Subodh Kumar Ray, Son of Ram Bilash Ray, Manager, Darba Prathamik Krishi Sakh Society Limited resident of Village Darba, Police Station Tajpur Halai O.P. Block and Circle Patori, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate
For the Respondent/s : Mr. Raj Ballav Pd.Yadav -AAG 11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 08.10.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.



Petitioner has prayed for the following relief (s):-

- “i. For issuance of an appropriate writ (s), order (s) or direction (s) to set up a Special Investigation Team to investigate the financial misappropriation/irregularity committed by the Respondent No.08 & 09 by grabbing more than crores of rupees of the Account holders/members of the Darba Prathamik Krishi Sakh Society Limited and other farmers/villagers of the Village Panchayat: Darba, District Samastipur.
- ii. Further be pleased to direct the State Respondents to take administration of Darba Prathamik Krishi Sakh Society Limited/Respondent No.07 in own hand till investigation is completed by special investigation team.
- iii. Further be pleased to direct the State Respondents to attach the entire movable/immovable properties of the Respondent No.08 & 09 acquired during the period holding administration over respondent society.
- iv. For any other relief/reliefs in light of facts and circumstances of the case. ”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt



of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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