

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12229 of 2018

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Arun Kumar Singh, son of Rameshwar Singh, resident of Village- Jafrabad Tole, Brindaban, P.O. Khanjaha Chowk, P.S. Lalganj, District- Vaishali at Hajipur.

... .. Petitioner

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Cooperative Department, Government of Bihar, Patna.
3. The Registrar, Cooperative Societies, Bihar, Patna.
4. The Joint Registrar, Cooperative Societies, Tirhut Division, Muzaffarpur.
5. The District Magistrate, Vaishali at Hajipur, District- Vaishali at Hajipur.
6. The District Cooperative Officer, Vaishali at Hajipur, District- Vaishali at Hajipur.
7. The District Cooperative Officer, Vaishali at Hajipur, District- Vaishali at Hajipur.
8. The Block Cooperative Officer, Lalganj, District- Vaishali at Hajipur.
9. Sri Sudhanshu Abhilash, son of not known to the petitioner, Presently the Chairman of Primary Agriculture Credit Cooperative Societies, Sararia Panchayat, Block- Lalganj, District- Vaishali at Hajipur.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Vijay Kumar Singh, Adv.
For the Respondents : Mr. Amit Prakash, GA-13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-01-2020 The petition filed on 29.06.2018 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 reliefs:



“(i) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the Respondent Authorities to restrain the Respondent Authorities particularly the Respondent No. 9 for construction of Godown of Primary Agriculture Credit Cooperative Society (hereinafter referred to as PACCS), Sararia over the land of Lagan Sahani son of Late Janak Sahani bearing Khata No. 41, Khesra No. 864, Mauza-Belka Thana No. 97, Anchal – Vaishali but the Respondent No. 9 had fraudulently shown the said land in the Lease Agreement as Khata No. 41, Khesra No. 864, Mauza – Jafrabad, Post – Khanjaha Chak, Mauza – Jafrabad, Thana No. 103, Anchal – Lalganj on the ground that the land in question neither situated in PACCS area nor in Lalganj Block.

(ii) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the Respondent Authorities to conduct a detail enquiry about the fraudulent act committed by the Respondent No. 9 in connivance with the Respondent No. 9.”

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)

Rajeev Kumar/-

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