

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2406 of 2012

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MAHENDRA PRASAD SINGH S/O Sri Dinanath Singh Resident Of Village
Sadokhar, P.S.-Chenari, District-Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar through the Registrar, Co-Operative Societies, Bihar, Patna
2. The Registrar, Co-Operative Societies, Bihar, Patna
3. The Managing Director, Sasaram-Bhabhua Central Co-Operative Bank Ltd., Sasaram, District Rohtas
4. The Managing Committee Through Its Chairman Sasaram-Bhabhua Central Co-Operative Bank Ltd., Sasaram

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Ranjan
For the State	:	Mr. Khurshid Alam, AAG 12
For the Bank	:	Mr. Bindhya Chal Rai

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 25-02-2020 Heard counsel for the petitioner and counsel for the respondents-Bank.

Issue of maintainability of the instant proceedings has been raised by counsel for the respondents-Bank by referring to the decision of Special Bench of this court reported in 2014(I) PLJR page 695. Specific para 47 thereof, it is submitted that instant proceedings seeking relief against a cooperative society is not maintainable. Counsel for the respondents-Bank in the same breadth submits that Service Rule also provides appeal under Rule 30 of Registrar, Cooperative Society.

Counsel for the petitioner submits that in view of



provision contained in Rule 30 of Registrar, Cooperative Society, petitioner was required to approach the Registrar, Cooperative Society within the specified period.

Today, if petitioner approaches the authorities, his appeal is likely to be thrown out merely on the ground of delay.

In view of rival submissions and objection having been raised by counsel for the respondents-Bank, this court would direct the Registrar, Cooperative Society to dispose of petitioner's appeal on merits without raising issue of delay, if the same is filed within two weeks from today.

Writ petition is disposed of with the aforesaid liberty.

(Madhuresh Prasad, J)

s.hassan/-

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