

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24257 of 2019

1. Jai Kumar Prasad Yadav S/o Shri Sukdeo Yadav, Resident of Village and P.O.-Bara Jai Ram, P.S.-Chiraiya, District-East Champaran.
2. Nagendra Ray, S/o Late Kuldeep Ray, Resident of Ward No. -12, Village and P.O.-Bara Jai Ram, P.S.-Chiraiya, District-East Champaran.
3. Nageshwar Rai, S/o Late Gopal Rai, Resident of Ward No. -07, Village and P.O.-Bara Jai Ram, P.S.-Chiraiya, District-East Champaran.
4. Lorik Ray, S/o Shri Ramashish Ray, Resident of Ward No. -07, Village and P.O.-Bara Jai Ram, P.S.-Chiraiya, District-East Champaran.
5. Parmeshwar Ray, S/o Shri Ramsakal Ray, Resident of Ward No. -04, Village and P.O.-Bara Jai Ram, P.S.-Chiraiya, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Registrar Cooperative Societies, Bihar, Bailey Road, Patna-800001.
2. The Chief Election Authority, the Bihar State Election Authority, 32, Harding Road, Patna-800001.
3. The Secretary, Bihar State Election Authority, 32, Harding Road, Patna-800001.
4. The District Co-operative Officer, East Champaran.
5. The Block Co-operative Officer, Chiraiya, East Champaran.
6. The Block Development Officer-cum-Election Officer, Primary Agriculture Co-operative Society, Chiraiya, East Champaran.
7. The Motihari Central Co-operative Bank Ltd., Bank Road, Bhawanipur Zirat, Motihari through its Managing Director, Motihari Central Co-operative Bank Ltd., Bank Road, Bhawanipur Zirat, Motihari.
8. The Managing Director, Motihari Central Co-operative Bank Ltd., Bank Road, Bhawanipur Zirat, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shri Prakash Srivastava, Adv.
For the Respondent/s	:	Mr.Chitranjan Sinha (Paag2)
		Mr. Shailendra Kumar, AC to PAAG-2
For Election Authority	:	Mr. Mukesh Kumar, Adv.
For Motihari Bank	:	Mr. Bindhyachal Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-02-2020 The petitioners have filed the present writ petition
seeking the following reliefs:-



“I. To issue a writ in the nature of mandamus commanding the Respondents No. 4 to 6 to add the names of 133 (05 petitioners and 128 other similarly situated persons) valid applicants in the voter list of Primary Agriculture Co-Operative Society, Barajairam, as the petitioners and other respective applicants filled-up their forms on 05.11.2019 & 06.11.2019 and despite of all positive endeavour made by the petitioners and other similarly situated persons, the names of the petitioners and other similarly situated persons have not been included in the voter list of Primary Agriculture Co-operative Society, Barajairam.

II. To issue a writ in the nature of mandamus commanding the Respondents No. 4 to 6 to add the names of 133 valid applicants in the voter list of Primary Agriculture Co-operative Society, Barajairam, as the petitioners including other respective applicants deposited their fees and forms on 17.06.2008, 19.06.2008, 20.06.2008, 22.06.2008, 23.06.2008, 24.06.2008 and 29.06.2008 (Annexure-P/1 series) in the office of the Respondents No. 7 & 8 and that was duly accepted by the Branch Incharge of the Respondent No. 7 in his letter dated 11.11.2019 bearing Ref. No. 91 (Annexure-P/4).”

The learned counsel appearing for the Respondents no. 1



to 3 has submitted that the petitioners have got alternative remedy by way of approaching the Registrar, Co-operative Societies, Bihar, Patna for redressal of their aforesaid grievances under Section 48 of the Bihar Co-operative Societies Act, 1935, which is not refuted by the learned counsel for the petitioners and on the contrary liberty is sought, for approaching the Registrar, Co-operative Societies, Bihar, Patna.

Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioners to approach the Registrar, Co-operative Societies, Bihar, Patna for redressal of their aforesaid grievances and in case appropriate petition is filed within a period of four weeks from today, the same shall be adjudicated promptly in accordance with law, after granting an opportunity of hearing to the concerned parties, preferably within a period of eight weeks from the date of receipt of appropriate petition/ complaint from the petitioners herein.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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