

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 25720 of 2019

1. Basantpur Primary Agriculture Credit Societies, Block- Basantpur, Supaul through its Chairman Anil Kumar Kherwar, aged about 52 years, Male, Son of Sri Deo Narayan Kherwar, Resident of Basantpur, Ward No. 8, P.S. Basantpur, District- Supaul.
2. Anil Kumar Kherwar, aged about 52 years, Male, Son of Sri Deo Narayan Kherwar, Resident of Basantpur, Ward No. 8, P.S. Basantpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Foods Civil Supply Department, Government of Bihar, Patna.
2. The Principal Secretary, Co-operative Department, Government of Bihar, Patna.
3. The Registrar Co-operative Societies, Bihar, Patna.
4. The District Magistrate, Supaul.
5. The Bihar State Food and Civil Supplies Corporation through its Managing Director, Bihar at Patna.
6. The Managing Director, the Bihar State Food and Civil Supplies Corporation, Bihar at Patna.
7. The District Manager, the Bihar State Food and Civil Supplies Corporation, Supaul.
8. The District Co-operative Officer, Supaul.
9. The Block Co-operative Officer, Basantpur at Supaul.
10. The Circle Officer, Basantpur, Supaul.

..... Respondents 1st Set

11. The Bihar State Co-operative Bank Ltd., Ashok Rajpath, Patna through its Managing Director.
12. The Managing Director, the Bihar State Co-operative Bank Ltd., Ashok Rajpath, Patna.
13. The Branch Manager, the Bihar State Co-operative Bank Ltd., Bihar Branch at Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.
For the BSCB	:	Mr. Bindhyachal Rai, Advocate
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr. Swapnil Kumar Singh, AC to GP 19

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH



ORAL JUDGMENT

Date : 06-01-2020

Nobody appears on behalf of the petitioners.

2. Heard learned AC to GP 19 for the State; learned counsel for the Bihar State Food and Civil Supplies Corporation Limited and learned counsel for the Bihar State Co-operative Bank Limited.

3. The petitioners have moved the Court for the following reliefs:

“(i) For issuance of a writ in the nature of ‘Certiorari’ for quashing the order as contained in memo no. 1996 dated 09.11.2019 whereby the petitioner has been debarred from contesting the election of PACS.

(ii) Further the concerned respondents be directed not to take any coercive action against the petitioner for realization of aforesaid amount and allow the petitioner to operate the account, or

(iii) The respondents Bihar State Food and Civil Supplies Corporation Ltd., Bihar, Patna (in short BSFC Ltd.) be directed to release the payment of paddy delivered to it by the petitioner within time (relating to the year 2014-15) so that the petitioners may clear the outstanding dues of the Bihar State Co-operative Bank Ltd., Bihat Branch, Supaul and contest the coming election of Primary Agriculture Credit Society (PACS).

(iv) Pass such other order/orders as this Hon’ble Court may deem fit and proper.”

4. In view of the elections to the PACS having been already held and there being statutory remedy with regard to the



certificate case, the Court finds that the writ petition has become infructuous.

5. In view thereof, the application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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