

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 1044 of 2020

Indrajit Singh, Aged about 56 years, Gender-Male, S/o-Hemraj Singh,
Resident of village-Parariya, P.S.-Suryapura, P.O. Dawat, District-Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Primary Agricultural Cooperative Society, Bihar, Patna
2. The Additional Secretary, Cooperative Society, Govt. of Bihar, Patna
3. The Bihar State Election Authority Bihar, Patna
4. The District Magistrate, District-Rohtas, District Cooperative Officer, Rohtas, Sasaram
5. The Election Officer, Primary Agricultural Cooperative Society, Suryapura, District-Rohtas
6. The Block Development Officer, Suryapura, District-Rohtas
7. Amrendra Pandey, S/o Tej Narayan Pandey, aged about 65 years, present PACS Chairman, Sibobahar PACS, Block-Suryapura, District-Rohtas

.. ... Respondent/s

Appearance :

For the Petitioner/s	:	Dr. Shashi Shekhar Kishore, Adv.
For the State	:	Mr. Mahendra Prasad Verma, AC to SC-20
For the Respondent/s	:	Mr. Mukesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

7 26-08-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social



distancing.

Heard the learned counsel for the petitioner, the learned counsel appearing for the State, Sri Mahendra Prasad Verma (AC to SC-20) and Sri Mukesh Kumar, the learned counsel appearing for the Bihar State Election Authority.

The present writ petition has been filed seeking the following reliefs:-

“(i) Issuance of a direction / writ/order including writ in the nature of a writ of mandamus/certiorari to quash the election of Sibobahar PACS held in the month of December 2019 which has been conducted due to inadvertence for the simple reason that 1st election of Sibobahar PACS was conducted on 19.8.2015 for five years and due date to next election of Sibobahar PACS should have been 18.8.2020. But due to inadvertence PACS election of Sibobahar has also been conducted.

(ii) Issuance of a direction / order / writ including writ in the nature of a writ of mandamus commanding the respondents let petitioner be allowed to be a PACS



Chairman till 18.8.2020 as per last election.”

The learned counsel for the Respondent-Bihar State Election Authority submits that the term of the PACS in question has already expired on 18.08.2020, hence, the present writ petition has become infructuous.

The Ld counsel for the petitioner seeks liberty to avail such remedies as are available under the law, hence, submits that the present writ petition be disposed of with such liberty to the petitioner.

Accordingly, the present writ petition stands disposed of as having become infructuous, however, with liberty to the petitioner to avail such other remedies as are available under the law.

(Mohit Kumar Shah, J)

Ajay/-

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