

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9315 of 2020

=====

Gunay Mukhiya, Son of Late Lalu Mukhiya, Resident of Village- Deorh,
Police Station- Ghoghardiha, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Department of Co operative, Government of Bihar, Patna.
3. Registrar Co operative Societies, Bihar, Patna.
4. Chief Election Officer State Election Authority, 32 Harding Road, Patna.
5. District Magistrate Cum District Election Officer Cooperative Societies, Madhubani.
6. District Co operative Officer Madhubani (Bihar).
7. Block Development Officer Ghoghardiha, Madhubani.
8. Cooperative Extension Officer Ghoghardiha, Madhubani.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Binodanand Mishra

For the Respondent/s : Mr. Ravi Bhardwaj, AC to GA 13

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 23-07-2021 Heard learned Counsel for the parties concerned.

The petitioner is aggrieved by the order (Annexure-3) issued by the respondent no. 6 whereby the respondent no. 3 has added the expelled members of the co-operative society as its voters despite the fact that the members were expelled by the co-operative society and the same was approved by the General Body of the Society.

Learned Counsel for the State submits that the issues raised by the petitioner gives rise to election dispute pertaining



to the co-operative society and under Section 35 of the Co-operative Societies Act, 1935, the Registrar of the Co-operative Societies is authorized to hear such kind of dispute and the petitioner may be relegated to the remedy under Section 35 of the Act.

Having heard learned Counsel for the parties and after carefully going through the materials available on record, it appears that the present writ application arises out of an election dispute. Accordingly, the petitioner is directed to approach the Registrar of the Co-operative Societies, Bihar, in accordance with law within a period of three weeks from today and if such an application is filed by the petitioner within the period aforesaid, the Registrar, Co-operative Societies, shall endeavour to decide the issues raised by the petitioner within a further period of two months.

This writ application is disposed of with the aforesaid observation and direction.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓		
---	---	--	--

