

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10527 of 2020

1. Sunita Devi, W/o Amrendra Kumar Srivastava, Resident of Village-Rasulpur, P.O.-Chainwa, P.S.-Rasulpur, District-Chhapra, Saran Pin-841205.
2. Binay Shankar Varma S/o Mahanth Lal Varma, Resident of Mohalla-Nai Basti, Fatehpur P.S.-Siwan Moffasil, Siwan, Pin-841226.
3. Rajendra Singh, S/o Vasdev Singh, House no-7 Near Gorhna, Inter Collage, P.O.-Sikati, P.S.Marhaura District-Chhapra Saran.
4. Dharmandra Kumar Sah, S/o Ram Nath Sah, Resident of Village-Kerwa, P.S.-Ishuapur, District-Chhapra, Saran.
5. Nasarudin Ansari S/o Mahmud Ansari, Resident of Village- Kasdewra Akil tola, Deura, P.S.-Maharajganj, District-Siwan.
6. Ibrahim Ansari, S/o Ishlam Ansari Resident of Village-Paterha, P.S.-Maharaganj, District-Siwan.
7. Tuntun Pal S/o Rajendra Pal, Resident of Village-Dhobwal Bazar, P.O.-Dhanaw, Kamta, P.S.-Baniapur Dis-Chapra, Saran.
8. Urmila Devi W/o Prahalad Sah, Resident of Village-Molnapur, P.S.-Basantpur , Dis-Siwan.
9. Chinta Devi S/o Manok Deo Yadav Resident of Village-Bishunpura, P.S.-Sidhwalia Dist-Gopalganj.
10. Punam Kumari and Buity Kumari D/o Naresh Prasad Sah Resident of Village-Sher, P.O.-P.S.-Sidhwalia, Dis-Gopalganj.
11. Indu Devi W/o Bisendra Das, Resident of Village-Sareya Pahar, P.S.-Sidhwalia, P.O.-Barhima Bazar, Dis-Gopalganj.
12. Subhash Yadav S/o Chandrama Yadav, Resident of Village-Jamo, Jamo Bazar, P.S.-Goreya Kothi, Dis-Siwan.
13. Manoj Kumar S/o Mahavir Pandit, Resident of Village-Jamo Tola, Ganga Hatta, Jamo Bazar, P.S.-Goria Kothi Dis-Siwan.
14. Rameshwar Singh S/o Late Chandeshwar Singh Resident of Village-Neuri P.S.-Barauli Dis-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Ministry of Finance, Government of Bihar, Patna.
3. The Police Commissioner, Home Department, Government of Bihar, Patna.
4. The Registrar, Co-operative Society, Bihar, Patna.
5. The District Officer, Gopalganj.
6. The District Officer, Siwan.
7. The District Officer, Chhapra.
8. The Superintendent of Police, Gopalganj.
9. The Superintendent of Police, Chhapra.



10. The Superintendent of Police, Siwan
11. The Chief Executive Office Mr. Apurva Kanth, Navjeevan Thriefft and Creadit Self Supporting Co-operative Society Ltd, 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.
12. The Chairman, Mr. Brajesh Kumar Datta, Navjeevan Co-operative Ltd. 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.
13. Mr. Arun Kumar, member of Board of Director, Navjeevan Co-operative Ltd. 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.
14. Mr. Ranjeet Kumar Rai, member of Navjeevan Co-operative Ltd. 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.
15. Smt Nidhi Kumari, member of Navjeevan Co-operative Ltd. 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.
16. Mr. Ravindra Rai, member of Navjeevan Co-operative Ltd. 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.
17. Mr. Dinesh Thakur, member of Navjeevan Co-operative Ltd. 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.
18. Smt Nashima Bibi, member of Navjeevan Co-operative Ltd. 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.
19. Smt Fulmatil Devi, member of Board of Director Navjeevan Thrift and Credit Self-Supporting Co-operative Society Ltd. 502, Hariom Commercial Complex, New Dak Bangla Road, P.S.-Gandhi Maidan, Dist-Patna Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad, Advocate
For the Respondent/s : Mr. Amit Prakash, Advocate

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 21-06-2021

Heard the parties.



Petitioners have prayed for following relief(s):-

“(i) For issuance of a writ of mandamus, or any other appropriate writ/writs or order/orders or direction/directions on commanding the State authorities respondents/board of directors to refund the maturity amount, which was deposited in account of Navjeevan Thrift and Credit Self Supporting Co-operative Ltd, registered under Bihar self supporting Co-operative Society Act 1996 under Bihar Co-operative Society Act 2-1997 vide registration No. BR/00/00/00/oth/02/2016.

(ii) That to issue direction to the State respondents including the State Police to take up investigation of the criminality of the matter in accordance with law under the supervision of the Hon’ble court and take all action including arrest of the Board of Directors of the respondent- no. 11 to 19.

(iii) To issue direction to compensate the loss and damage suffered by countless deposit including the petitioner for the act, action and omission allowed to be committed by the said Navjeevan Thrift and Credit Self Supporting Co-operative Society Act to mobilize the huge public deposit by defrauding the depositors by sudden closure of the business and activity of the said society.

(iv) To issue direction that the



appointment of special officer/Administration on the affairs so prospective of the said society and to appoint Chartered Accountant to make evaluation of all such properties held in name of each board of directors, derived from the said deposit held in the name of any others under Section-5, 6, 7(1) & 8 of the Bihar Protection of interest of Depositors (In financial Establishment)Act 2002.”

After the matter was heard for some time, learned counsel for the petitioners, under instructions, state that petitioners shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioners shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioners shall approach the authority



concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioners take recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits.
All issues are left open;

(h) The proceedings, during the time of current



Pandemic- Covid-19 shall be conducted through digital mode,
unless the parties otherwise mutually agree to meet in person
i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

