

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1181 of 2021

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BIRENDRA KUMAR SINGH Son of Ram Bahadur Singh Resident of
Village- Raghopur West, P.s.- Jurawanpur, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Cooperation, Government of Bihar, Patna
2. The Principal Secretary, Department of Cooperation, Government of Bihar, patna
3. The Registrar, Cooperative Societies, Bihar, Patna
4. The District Cooperative Officer, Vaishali at Hajipur
5. The Block Cooperative Extension Officer, Block Raghopur, Vaishali at Hajipur
6. The Bihar State Election Authority through its Chairman, 32 Harding Road, Patna-800001
7. The Chairman, Bihar State Election Authority, 32, Harding Road, Patna-800001

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.
For the Respondent/s : Mr. Ravi Bhardwaj, AC to GA-13.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-07-2021 Heard Mr. Sanjay Kumar, learned counsel for the

petitioner and Mr. Ravi Bhardwaj, learned AC to GA-13 for the

State through video conferencing.

2. The present writ application has been filed by the
petitioner for a direction to Respondent No. 4, the District
Cooperative Officer, Vaishali at Hajipur for sending the proposal
for the election of two vacant posts in the Managing Committee
of Raghopur West, Primary Agriculture Credit Society



(hereinafter referred to as 'PACS') to the Bihar State Election Authority.

3. Learned counsel for the petitioner submits that the petitioner is an elected Chairman of PACS in question and by Annexure-4, he has requested the District Cooperative Officer, Vaishali at Hajipur to send proposal for election for filling up two vacant posts in the Managing Committee of the Society but he is not taking any steps pursuant to the said request.

4. Learned counsel for the State submits that he has taken instruction from the Respondent No.4, District Cooperative Officer, Vaishali at Hajipur and as per his instruction, as of now, altogether six vacancies have taken place and if the petitioner deposits requisite fee/amount along with a fresh request for sending proposal for the election of six posts in the Managing Committee of the concern PACS, the Respondent No.4, shall take immediate steps for sending the proposal for election to the Bihar State Election Authority.

5. After having heard learned counsel for the parties and in view of the aforesaid submissions advanced on behalf of the State, let a fresh proposal for filling up all the six vacancies in the Managing Committee of the PACS along with the requisite fee/amount be submitted by the petitioner before the



Respondent No.4 within three weeks.

6. It is made clear that if a fresh proposal is submitted by the petitioner within the aforesaid period of three weeks, the Respondent No. 4, the District Cooperative Officer, Vaishali at Hajipur is directed to recommend the proposal in accordance with law for filling up the six vacancies before competent authority i.e., the Bihar State Election Authority within a further period of two weeks.

7. This Court hopes and trusts that after receipt of the recommendation from the Respondent No. 4, District Cooperative Officer, Vaishali, the Bihar State Election Authority will take necessary steps as early as possible for holding the election in order to fill up the aforesaid six vacancies in the concerned PACS.

(Anil Kumar Sinha, J)

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