

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8266 of 2021

1. The Vyapar Mandal Co-operative Society Ltd. Bairgania, District- Sitamarhi through its Chairman namely Ishwar Chandra Din, aged about 71 years, Gender - Male, Son of Late Rajendra Prasad Singh, resident of Village - Ward No. 9 Bengahi Adamban, Police Station Bairgania, District- Sitamarhi
2. Ishwar Chandra Din Son of Late Rajendra Prasad Singh Resident of Village - Ward No. 9 Bengahi Adamban, Police Station - Bairgania, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Co-operation, Vikash Bhawan, New Secretariat, Bihar, Patna
2. The Principal Secretary, Department of Co-operation, Vikash Bhawan, New Secretariat, Bihar, Patna
3. The Registrar Co-operative Societies, Vikash Bhawan, New Secretariat, Bihar, Patna
4. The District Magistrate, Sitamarhi
5. The Sub-Divisional Magistrate, Sitamarhi
6. The District Co-operative Officer, Sitamarhi
7. The Block Co-operative Extension Officer, Sitamarhi
8. Prem Shankar Prasad @ Prem Shankar Prasad Gupta Son of Thakur Sah Resident of Village - Dumarbana Ward No. 6, P.S. - Bairgania, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Adv
For the Respondent/s	:	Mr. Uday Shankar
		Mr. Sharan Singh (GP 19)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 11-02-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.



This writ application is stated to have been filed on behalf of Vyapar Mandal Co-operative Society Limited, Bairgania under the district of Sitamarhi which is a co-operative society registered under the Bihar Co-operative Societies Act.

It is the petitioners' case that in the year 1994, a licence to run a fair price shop under Public Distribution System was granted in favour of the society which was managing the affairs of the shop. It is further petitioners' case that when respondent no. 8 became the chairman of the said co-operative society, he manipulated to get his name incorporated in the licence at the time of renewal.

In the aforesaid background this writ application has been filed seeking direction to the respondents to correct the name of licensee in the licence to run the fair price shop in question.

It is being alleged that the present chairman of the said co-operative society (petitioner no. 2) has raised objection against entry of name of respondent no. 8 in the licence in question by making repeated representations before the authorities, but till date no final decision has been taken for correcting the name of the licensee.

One of the representations has been brought on record



by way of Annexure 10 to the writ petition.

Considering the facts and circumstances of the case as asserted in the writ application, it is disposed of with a direction to the Sub-Divisional Officer, Sitamarhi to decide the petitioners' representation dated 19.08.2020 within two months from the date of receipt/production of copy of this order.

It is made clear that we have not gone into the correctness of the petitioners' claim and no observation made in the present shall be treated to be any opinion of this Court on merits of the petitioners' case.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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