

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8494 of 2021

Ashish Rai @ Aashish Rai son of Vijendra Rai, resident of Village-Sagra, Police Station-Rajpur, District-Buxar, President Rampur Kala Primary Agriculture Credit Co-Operative Society (PACCS), Block-Chausa, Police Station-Rajpur, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-Operative Department, Govt. of Bihar, Patna.
2. The Registrar Co-Operative Societies, Bihar, Patna.
3. The District Magistrate, Buxar.
4. The Additional Collector, Buxar.
5. The Sub-Divisional Magistrate, Buxar.
6. Anchal Adhikari, Chausa, District-Buxar.
7. Navin Kumar Rai, son of Sri Ran Bahadur Rai, resident of Village Rampur Kala, Police Station-Rajpur, District-Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy
For the Respondent/s : Mr. Syed Iqbal Ahmad (SC 20)
Mr. Mahtab Alam (AC to SC 20)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 08-02-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

The petitioner has put to challenge a communication issued under letter no. 189 dated 24.02.2021 by the District Cooperative Officer, Buxar, whereby he has been directed to



deposit a sum of Rs. 10,70,000/- which was released in his favour for construction of a godown, on the ground that the said godown has been constructed over the piece of land not under lease agreement.

It is the petitioner's case that some area of land not part of lease agreement had been utilised for the purpose of construction of the godown but subsequently a fresh lease agreement has been entered into in respect of the said land also.

Mr. J.P Singh, learned counsel for the petitioner, after some argument, seeks permission to withdraw this application with a liberty to approach the Registrar, Cooperative Societies against the impugned decision. He has further submitted that a certificate proceeding has also been initiated for recovery of the said amount before the Certificate Officer.

It goes without saying that the petitioner may file an objection against recovery of the amount before the Certificate Officer in the certificate proceeding. The petitioner shall also be at liberty to approach the Registrar, Cooperative Societies for ventilating his grievance. It is observed that if the petitioner approaches the Registrar, Cooperative Societies; the Registrar, Cooperative Societies shall consider the petitioner's representation/application in accordance with law and decide as



expeditiously as possible preferably within three months from
the date of receipt/production of copy of this order.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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