

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7329 of 2022

Vibhuti Narayan Rai Son of Suresh Narayan Rai @ Suresh Chandra Rai,
Resident of Village - Belhi Dih, P.O. Belhikhas, P.S. Kataiya, District -
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Cooperative, Government of Bihar, Patna.
2. The Registrar, Cooperative Societies, Bihar, Patna.
3. The District Magistrate, Gopalganj.
4. The District Cooperative Officer, Gopalganj.
5. Kataiya Vyapar Mandal Cooperative Society Limited, Kataiya, P.S. Kataiya, District - Gopalganj through its Ex-Officio Manager-cum-Cooperative Extension Officer, Kataiya.
6. Belhi Khas Primary Agriculture Credit Cooperative Society Ltd, Belhi Khas, P.S. - Kataiya, District - Gopalganj, through its Manager Alok Tiwari Son of Satyendra Tiwari.
7. Satyendra Tiwari Son of Late Ram Naresh Tiwari, resident of Village and P.O. - Balhikhas, P.S. Kataiya, District - Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha, Advocate
For the Respondent/s : Mr. Amit Prakash (GA-13)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 24-06-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



1. That the instant Public Interest Litigation is being filed for issuance of direction upon respondent 1st set in particular the Registrar, Cooperative Societies, Bihar for taking an appropriate action in terms of the Bihar Co-operative Societies Act, 1935 and any other appropriate action in the matter of the transactions of the Kataya Vyapar Mandal Cooperative society Limited and the Belhi Khas Primary Agriculture Credit Cooperative society Ltd. specifically on the scores as pointed out in paragraph 4 of the representation of the petitioner dated 04.02.2022 submitted to the the Secretary, Department of Cooperative Government of Bihar (Annexure-5) making out a case of corruption as well as misappropriation of the public money by the office-bearers of the respondents cooperative societies including respondent no. 7, and for any other relief(s) to which the petitioner is found entitled to.

After the matter was heard for some time, finding



the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition reserving liberty to initiate appropriate proceedings before the appropriate forum and/take appropriate remedy under the Co-operative Societies Act, or take recourse to such other alternative remedies, equally efficacious in law.

Permission granted.

We are sure that as and when any such proceedings are initiated, the same shall be considered and decided in accordance with law, expeditiously, within a period of six months.

Needless to add, the authorities/adjudicative body shall pass a reasoned order in accordance with law.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

The petition stands disposed of as withdrawn



with the liberty aforesaid.

Interlocutory Application(s), if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	29.06.2022
Transmission Date	

