

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14159 of 2021

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Veena Sinha, wife of Brajendra Nath Sinha, residing front of K- 73, Hanuman Nagar, Kankarbagh, Patna-800020, the member of the Board of Directors, Patna Pramandal, Patna Pramandal Kshetriya Matsyajibi Sahakari Sangh Ltd. registered office at front of K-73. Hanuman Nagar, Kankarbagh, Patna - 800020.

... .. Petitioner/s

Versus

1. The Union of India through its Secretary, Deptt. of Co-operation, Govt. of India, New Delhi.
2. Joint Secretary to the Govt. of India and Central Registrar of Co-operative Societies, Deptt of Co-operation, Govt. of India, New Delhi.
3. The Secretary, Deptt. of Fisheries, Animal Husbandry and Dairying, Govt. of India, New Delhi.
4. The National Federation of Fishers Co-operative Federation Ltd. (FISHCOPFED), Sarita Vihar Institutional Area, New Delhi through its Managing Director.
5. The State of Bihar through the Principal Secretary, Co-operative Societies, Bihar, Patna.
6. The Registrar, Co-operative Societies, Bihar, Patna.
7. The Joint Registrar, Co-operative Societies, Patna Division, Patna.
8. District Co-operative Officer, Patna.
9. Assistant Registrar, Co-operative Societies, Patna Anchal, Patna.
10. The Bihar State Election Authority Bihar, Patna through its Secretary.
11. The Bihar Rajya Matsyajibi Sahkari Sangh Ltd., 1st Floor, Meena Bhawan, West Boring Canal Road, Patna, through its Managing Director.
12. Rakesh Kumar Nishad, Son of Late Bhubneshwar Prasad Nishad, Flat No. - 402, Kumar Niwas, Saristabad, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Krishna Kumar, Advocate
For the Union of India	:	Dr. K.N. Singh, ASG
		Ms. Punam Kuamri Singh, C.G.C.
For the State	:	Ms. Shobha Chaubey, A.C. to G.P.-19

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)



3 31-03-2022 In substance, it is the petitioner's grievance that Respondent No.12 has fraudulently got declared himself as the Secretary of Patna Pramandal Kshetriya Matsyajibi Sahkari Sangh Ltd., which, according to the petitioner, is a State Co-operative Society.

The petitioner is raising a grievance in the present writ application that on the basis of such declaration, Respondent No.12 has managed inclusion of his name in the voters' list prepared for election of Members of the Board of Directors of FISHCOPFED, New Delhi, which is a Multi-State Co-operative Society.

It is the petitioner's contention that only a Member of Patna Pramandal Kshetriya Matsyajibi Sahkari Sangh Ltd. could be declared as Secretary of the said Society who could be eligible to participate in the election of Members of Board of Directors of the FISHCOPFED.

It is evident, on plain reading of the pleadings on record that the dispute in the present writ application relates to the question as to whether Respondent No.12 is a Member of Patna Pramandal Kshetriya Matsyajibi Sahkari Sangh Ltd., which is a State Co-operative Society, or not.

It is also evident on reading of Explanation (2) to



Section 48 of the Bihar Co-operative Societies Act, 1935 that the petitioner has remedy before the Registrar of the Co-operative Societies by raising a dispute.

This application is, accordingly, disposed of with a liberty to the petitioner to invoke the said remedy.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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