

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10872 of 2022

1. The Co-operative Banking Society Ltd. Patna through its Secretary Varun Kumar Pandey, son of Sri Surendra Pandey, aged about 42 years (Male), having office at the Cooperative Head Quarter Office, situated at Road No. 21, Gardanibagh, Patna-800002.
2. Shashi Ranjan Kumar son of Sri Vinod Kumar, Chairman of the Board of Directors having office at the Cooperative Head Quarter Office, situated Road No. 21, Gardanibagh, Patna-800002.
3. Manoj Kumar Jha Son of Late Prasanna Kumar Jha, an elected member and Director of the Board of Directors of the Cooperative Society having office at the Cooperative Head Quarter Office, situated at Road No. 21, Gardanibagh, Patna-800001.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Building Construction Department, Government of Bihar, Patna.
2. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
3. The Deputy Secretary cum Estate Officer, Building Construction Department, Government of Bihar, Patna.
4. The Collector, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anand Kumar Ojha, Advocate
	:	Mr. A.K. Karna, Advocate
For the Respondent/s	:	Mr. Manoj Kr. Ambastha (SC 26)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-08-2022 The present petition has been filed seeking the following relief:-

“ The petitioners seek protection against demolition of the building or part thereof of operating for last about 30 years as the Head Office of the Society over the leased land bearing Khesra no. 1954 and 1955, Rakba 0.152 within Thana no. 16 under the Mauza



Dhirachak under Patna Sadar Circle, Patna and for an order of restraint from entering and taking possession of the land and for quashing the Letter no. 3105 dated 29.04.2022 issued by the respondent no. 3 to the Secretary of the Cooperative Banking Society Ltd. (Society in short) seeking possession over the land along with building operating as office of the society presently in possession of the Society in terms of renewed Lease till 2036. The petitioner seeks declaration that demolition of building and take over is illegal and till a suitable land is made available to the Society with construction of appropriate structure in lieu of compensation to run the office of the Cooperative Society. Issuance of further declaration that the petitioner Cooperative Society qualifies for an intervention in the equitable jurisdiction of this Hon'ble Court under the emergency situation wherein the society created for financial need of over 5000 employees of Secretariat, High Court, Lokayukt Office, Government Secretariat and other officers of the Government of Bihar would suffer as it will stop operating giving a big setback to the interest of the employees financial needs. Issuance of further declaration that the matter involves violation of rights under Article 19(1)(c) of the



Constitution of India. The Article 43()B under Directive Principles of State Policy enjoins upon the State Authorities to promote the Management of Co-operative Societies.”

At the outset, the learned counsel for the petitioners seek liberty on behalf of the petitioners to approach the Collector, Patna for redressal of their aforesaid grievances. Liberty so sought is granted.

It is needless to state that in case, the petitioners file appropriate representation within a period of two weeks from today, *status quo* existing as on today shall be maintained, *qua* the property/ premises in question, till a final decision is taken by the Collector, Patna with regard to the representation to be filed by the petitioners.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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