

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19874 of 2021

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Satyendra Amrtya Katyayan @ Satyendra A Katyayan S/o Prakash Choubey,
Resident of Village - Babhanaul, P.S.- Dawath, District - Rohtas.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Secretary, Co-operative Department, Bihar, Patna.
3. The Registrar, Co-operative Societies, Bihar, Patna.
4. The District Co-operative Officer, Rohtas at Sasaram.
5. The Block Development Officer, Dawath, Rohtas.
6. The Block, Co-operative Officer, Dawath, Rohtas.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Respondent/s : Mr.Amit Prakash (Ga13)

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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)

2 13-05-2022 This matter has been taken up for hearing through on-line.

2. The petitioner is seeking quashing of an order dated 02.11.2021 passed by the Secretary, Co-operative Department, Government of Bihar, whereby his representation filed on 13.08.2021 in the light of an order dated 30.07.2021 passed by this Court in C.W.J.C. No. 6640 of 2020 has been rejected. The petitioner is seeking a direction to the respondents to initiate disciplinary action against the Block Development Officer,



Dawat, Rohtas. The representation has been brought on record by way of Annexure-P/3 of the writ petition. From the representation, it appears that the petitioner's nomination paper for election for the post of Chairman, Babhnaul PACS was rejected by the Block Development Officer, Dawath-cum-Returning Officer, on the ground of him being a defaulter as reported by the Branch Manager, Sasaram-Bhabhua Central Co-operative Bank Limited, Bikramganj Branch, Rohtas. The petitioner had approached this Court by filing writ petition questioning the said order dated 06.12.2019 of the Returning Officer which gave rise to C.W.J.C. No. 6640 of 2020. The said writ application came to be disposed of by this Court by an order dated 30.07.2021, which is there on record by way of Annexure-P/2 to the writ application. From the said order, it appears that the petitioner chose not to press the relief for setting aside the order dated 06.12.2019, whereby nomination paper was rejected on the ground of him being defaulter as per the letter issued by the Branch Manager. The petitioner confined his prayer before this Court for taking appropriate action against the Block Development Officer, Dawath, Rohtas, for violation of the letter issued by the Registrar, Co-operative Societies, Patna, dated 27.10.2016 by the Block Development Officer



whereby the Returning Officer was directed not to reject nomination of the candidates on the ground of defaulter on the basis of communication/request of the Bank unless a final order in this regard is being passed by the competent authority.

3. The petitioner sought liberty from this Court to file a representation before the Principal Secretary, Co-operative Department, which was granted by the aforesaid order dated 30.07.2021 passed in C.W.J.C. No. 6640 of 2020 and accordingly the writ petition was disposed of with a direction to Principal Secretary to dispose of the representation within the specified time.

4. The petitioner's representation has been rejected by the impugned order dated 02.11.2021. The Principal Secretary of the Department has dealt with the petitioner's claim that the he ought not to have been declared a defaulter based on the letter issued by the Registrar, Co-operative Societies dated 27.10.2016. The Secretary, in the impugned order, recorded that the said letter dated 27.10.2016 was with reference to Cash Credit Loan and not in respect of Kishan Credit Card Loan facility which had been availed by the petitioners. Learned counsel for the petitioner has not been able to point out on the basis of pleadings on record that the said finding recorded by



the Principal Secretary suffers from any legal infirmity requiring this Court's interference.

5. Accordingly, we do not find any merit in this application. This application is accordingly rejected.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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