

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2195 of 2023

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Bihar Khadi Gramudyog Sangh, through the Present Secretary, Rama Shankar Prasad, (Male), aged about 61 Years Having its registered Office at Sarvodya Gram Mohalla- Kanhauli P.S. Mithanpura, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary-Cum Principal Secretary, Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
2. The Additional Chief Secretary-Cum Principal Secretary, Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
3. The Inspector General, Registration, Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
4. The Assistant Inspector General, Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
5. The Collector-Cum-District Registrar, District Registration Office, District Registration Office, District Collectorate, Muzaffarpur.
6. The Additional Collector-Cum-Additional District-Magistrate, Muzaffarpur.
7. The Deputy Collector Land Reforms, Muzaffarpur East, District-Muzaffarpur.
8. The Assistant Director, Child Protection Unit, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Nivedita Nirvikar, Sr. Adv. Mr. Amaresh Kumar Singh, Adv. Mr. Arya Achint, Adv.
For the Respondent/s	:	Mr. Vikash Kumar (Sc 11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-04-2023 The present writ petition has been filed seeking the following reliefs:-

“1(i). For the issuance of a writ in the nature of writ of certiorari or any other appropriate writ, order or direction, quashing the order bearing memo no. GB-1777/181/2022-08 dated 03.01.2023 (Annexure - P/4) issued under the



signature of Inspector General of Registration, Bihar, Patna whereby the amendment proposed by the Petitioner in the byelaws of the petitioner society has been rejected and fresh election has been directed for the selection of the new members in the Executive committee (Niyamak Mandal) of the Petitioners society under the guidance of the observer to be appointed by the Collector, Muzaffarpur.

(ii). For the issuance of a writ in the nature of writ of certiorari or any other appropriate writ, order or direction, quashing the enquiry report, as contained in letter no. 4714 dated 26.09.2022 (Annexure-P/3), submitted by the enquiry committee constituted by the Collector-cum-District Registrar, Muzaffarpur.

(iii) For the issuance of a writ in the nature of writ of mandamus or any other appropriate writ, order or direction, commanding the respondents to allow the present Executive Committee to continue to function till the issue of rival claims are settled before an appropriate civil proceedings before the competent Civil Court.”

At the outset, the learned Senior Counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 3.1.2023, passed by the Inspector General of Registration, Bihar, Patna, by filing appropriate



appeal before the appellate authority.

Having regard to the submissions made by the learned Senior Counsel for the petitioner, I deem it fit and proper to dispose off the present writ petition with liberty to the petitioner to file appropriate appeal before the appellate authority and in case, such an appeal is filed along with a petition for grant of interim orders, the appellate authority shall first consider the petition for grant of interim relief on the very first day of hearing.

(Mohit Kumar Shah, J)

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