

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5864 of 2023

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Umesh Kumar Son of Sitaram Singh, Resident of Village and P.O. Pirapur
Mathura, Ward No.6, P.S. Goraul, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Cooperative, Government of Bihar, Patna.
2. The Registrar, Cooperative Societies, Bihar, Patna.
3. The District Magistrate-cum- District Election Officer (Cooperative), Vaishali at Hajipur, District- Vaishali at Hajipur.
4. The District Cooperative Officer, Vaishali at Hajipur, District- Vaishali at Hajipur.
5. The Block Development Officer-cum-Returning Officer, Goraul Block District- Vaishali at Hajipur.
6. Pirapur mathura Primary Agriculture Credit Cooperative Society Ltd., At and P.O. Pirapur Mathura, P.S. and Block- Goraul, District- Vaishali at Hajipur through the Administrator.
7. The Administrator, Pirapur Mathura Primary Agriculture Credit Cooperative Society Ltd., At and P.O. Pirapur Mathura, P.S. and Block- Goraul, District- Vaishali at Hajipur.
8. The State Election Authority, Bihar, Patna through the Chief Election Officer.
9. The Secretary, The State Election Authority, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awnish Kumar
For the Respondent/s : Mr. Manoj Kr. Ambastha (Sc26)

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2023 Heard learned counsel counsel for the petitioner and

learned counsel for the State along with the learned counsel for the

State Election Authority, Mr. Mukesh Kumar Thakur.

Learned counsel for the petitioner submits that the present writ application has been filed seeking a direction upon the State Election Authority to hold election of the Society in question in view of the order dated 09.01.2023 in CWJC No. 24786 of 2019 passed by



the Hon'ble Division Bench.

Learned counsel next submits that despite specific direction passed by the Hon'ble Division Bench in CWJC No. 24786 of 2019, the State Election Authority has not conducted the election and the Society in question is under supersession for the last four years.

Learned counsel appearing for the State Election Authority, Mr. Mukesh Kumar Thakur submits that one Naval Rai has filed SLP (Civil) (No.) 3148 of 2023 before the Hon'ble Supreme Court challenging the order dated 09.01.2023 in CWJC No. 24786 of 2019 and the matter is pending adjudication. It is next submitted that since the order of the Hon'ble Division Bench is under challenging before the Hon'ble Supreme Court, as such, the State Election Authority is not proceeding in the matter.

Learned counsel for the petitioner in view of the submission made by the learned counsel appearing for the State Election Authority seeks permission to withdraw the writ application for the present with liberty to move afresh after disposal of SLP (Civil) (No.) 3148 of 2023.

Permission is accorded.

(Satyavrat Verma, J)

HarshPandey/-

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