

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8569 of 2023

1. Birendra Tiwari Son of Late Daya Tiwary, resident of village- Bhuawal, Police Station - Dinara, District - Rohtas (Sasaram).
2. Rajendra Kumar Singh @ Rajendra Singh, Son of Dharamraj Singh, resident of village - Ghari, Police Station - Nasriganj, District - Rohtas.
3. Ashok Kumar Singh @ Ashok Singh, Son of Bachchu Singh, resident of village- Chitaini, Police Station - Kochas, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Co-operative Department, Bihar, Patna.
2. The Registrar Co-operative Societies, Bihar, Patna.
3. The Joint Registrar, Co-operative Societies, Patna.
4. The District Co-operative Officer, Rohtas, Sasaram.
5. The Assistant Registrar, Co-operative Societies, Sasaram, Rohtas.
6. The Chairman, Chilahrua, Primary Agriculture Credit Co-operative Societies, Police Station - Dinara, District - Rohtas.
7. The Chairman, Paruri, Primary Agriculture Credit Co-operative Societies, Police Station - Nasriganj, District - Rohtas.
8. The Chairman, Chitaini, Primary Agriculture, Credit Co-operative Societies, Police Station - Kochas, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Choubey, Advocate
For the Respondent/s	:	Mr. Amit Prakash, GA-13

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 18-12-2023

Heard Mr. Surendra Kumar Choubey, learned counsel appearing on behalf of the petitioners and Mr. Amit Prakash, learned GA-13 appearing on behalf of the State.

2. The petitioners have sought for following relief(s) in paragraph no.1 of the writ petition:

“(i). Issuance of a writ in the nature of

writ of certiorari quashing the order dated 28.04.2022 passed by the Joint Registrar Co-operative Societies, Patna Division, Patna issued by order no.515/S.S. Patna dated 28.04.2022 contained in Annexure 4 whereby and whereunder he has been pleased to dismiss the case of petitioners for setting aside the termination order dated 28.04.2022 passed/taken by Management Samiti of concerned PACS i.e. Chirharua PACS Paruri PACS and Chitaini PACS.

(ii) Issuance of a writ in the nature of writ of mandamus directing the respondents to reinstate the service of petitioners for the post of Assistant Manager of their concerned PACS after removing the newly appointed Assistant Manager to the concerned PACS.

(iii) Issuance of any other writ(s) or order(s) or direction(s) which may be deemed fit and proper in the facts and circumstances of the case.”

3. The petitioners are aggrieved by the order of the Joint Registrar, Co-operative Societies, Patna Division, as sought for in paragraph no.1 of the present writ petition.

3. Learned counsel appearing on behalf of the petitioners submitted that the petitioners have filed an application under Section 48 of the Bihar Co-operative Society Act, 1935 before the Registrar Co-operative Society, Bihar, Patna against the termination order of the petitioners nos. 1, 2 and 3, who were working on the post of Assistant Manager of Chilahrua PACS, Paruri PACS and Chitaini PACS respectively and they seek to file appeal before the State Government against the order of termination.

4. Considering the reliefs as sought for in the present writ petition, the order as contained in Annexure-3 and 4 bearing memo no.489 dated 24.01.2022 and order dated 28.04.2022 are hereby set-aside and quashed.

5. The petitioners may take appropriate remedy to file an appeal before the State Government against the order as contained in Annexure-3 and 4, as above.

6. With the above observation/direction, the present writ petition stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.12.2023
Transmission Date	NA