

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14306 of 2017

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Brajesh Singh S/o Sri Tula Singh Resident of Village Pinjari, P.S. - Barbigha,
in the district of Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principle Secretary, Cooperative Department, Patna.
2. The Director, Cooperative Department, Government of Bihar, Patna.
3. The District Magistrate, Sheikhpura.
4. The District Cooperative Officer, Sheikhpura.
5. The Chief Election Officer, Bihar State Election Authority, Patna.
6. The Deputy Secretary, Bihar State Election Authority, Harding Road, Patna.
7. The Sub-Divisional Magistrate, Sheikhpura.
8. The Block Development Officer, Sheikhpura cum Election Officer, Cooperative Society, Barbigha, Shei
9. Mr. Vijay Kumar Chand S/o Laxmi Narayan Singh R/o Sherpar, P.S. Barbigha in the district of Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the Respondent/s	:	Mr. Swapnil Kumar Singh, AC to GP-19
For the Private Respondent	:	Mr. Sidharth Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 11-09-2023

Heard Mr. Sanjeev Kumar, learned counsel appearing on behalf of the petitioner and Mr. Swapnil Kumar Singh, learned AC to GP-19. Learned counsel for the private respondent is also present.

2. The petitioner, who was successfully elected as Chairman of Barbigha Vayapar Mandal has preferred the writ petition, seeking quashing of the order issued under the signature of Deputy Secretary, Bihar State Election Authority,



Patna bearing Memo No. 895 dated 18.09.2017, whereby and where under the names of 48 persons (voters of Vayapar Mandal, Sheikhpura) has not been included in voter list of forthcoming Vayapar Mandal Election. He further seeks a direction upon the respondent to allow all the voters of voter list dated 10.08.2017 to cast their votes in the forthcoming elections.

3. After some arguments, the learned counsel for the petitioner submits that as the co-operative election has already been held, thus, the relief prayed for to the extent of allowing the voters to cast their votes, obviously has become infructuous. However, so far the primary relief is concerned, the same may be considered in view of the fact that altogether 48 voters have been ousted from the voter list in a most arbitrary manner on a nonest ground that the Chairman has not put his signature at the bottom of the proceedings.

4. On the other hand, learned counsel for the respondents submit that the matter relates to 2017 election and thereafter, another election of co-operative was also held in the year 2022, itself and if the petitioner and others have still any grievance, they can file an appropriate petition before the Registrar Co-operative, who is the competent authority to look



into the matter and pass an appropriate order.

5. Considering the fact that twice elections has been held after filing of the present writ application, and, as such, much water has flown down the Ganges. However, still the petitioner and other persons, have any grievance, they have the remedy available under the Bihar Co-operative Societies Act, 1935.

6. In view thereof, the present writ application stands disposed of.

7. It is needless to observe that if such an application would be filed, before the appropriate authority/forum, the same shall be considered expeditiously and dispose of within a reasonable time.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
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