

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23725 of 2019

=====

Sukhdeo Prasad Yadav S/o Late Lattu Mahto Resident of Village- Balia
Bujurg, P.s.- Akbarpur, Block- Akbarpur, Distt.- Nawadah

... .. Petitioner/s

Versus

1. The State Election Authority Bihar, Patna through Chief Election Officer,
Harding Road, Bihar, Patna
2. The Chief Election Officer, State Election Authority, Bihar, patna
3. The District Magistrate-cum-District Election Officer (Co-operative
Societies), Nawadah
4. The District Co-operative Officer Nawadah
5. The Block Development Officer-cum-Election Officer (PACS) Akbarpur,
Distt.- Nawadah
6. The Chairman PACS , Balia Bujurg, Block- Akbarpur, Distt.- Nawadah

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Archana, AC to AAG-9

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 28-06-2023 Heard the parties.

The prayer is for directing the respondent concerned specially respondent no.3 to take effective step for disposal of complain-cum-representation submitted before him raising such issue which is to be redressed by him for conducting free and fair election of the PACS concerned as despite having raised complain before respondent District Cooperative Officer and others, action was taken.

Learned counsel for the State Election Authority has taken this Court to Section 44AQ(6) of the Bihar



Cooperative Societies Act, 1955 which read as follows:

“44AQ(6) Every family residing within the local limits of the new society determined under sub-section (5) shall be represented by at least one adult member of the family who shall be a normal or associate member of the society and shall be entitled to a right of voting if he pays a membership fee of Rs. 1 and may become a full-fledged member of the society if he purchases at least one share of the society and he shall be entitled to receive loan therefrom and shall also be eligible to hold and elective post of the society.”

A perusal of the said section clearly shows that there is no bar in having more than one member of the same family in the PACS.

On query, petitioner conceded that he is already member of the society.

Taking into account the aforesaid facts, the writ petition stands disposed of.

(Rajiv Roy, J)

Prakash Narayan /-

U			
---	--	--	--

