

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5453 of 2024

Satyendra Pandey Son of Dhruv Pandey, Resident of Village- Dumra, Post Office- Dumra, Police Station- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Cooperative Department, Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna.
3. The Registrar, Cooperative Societies, Bihar, Patna.
4. The District Cooperative Officer, East Champaran at Motihari.
5. The Assistant Registrar, East Champaran at Motihari.
6. The Block Cooperative Extension Officer, Kotwa, East Champaran at Motihari.
7. The Primary Agriculture Credit Societies Ltd Dumra, through its Chairman, Block Kotwa, East Champaran at Motihari.
8. The Managing Committee, The Primary Agriculture Credit Societies Ltd. Dumra, through its Chairman, Block Kotwa, East Champaran at Motihari.
9. The Chairman, The Primary Agriculture Credit Societies Ltd. Dumra, Block Kotwa, East Champaran at Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Sarvesh Kumar Singh, AAG-13
		Mr. Ravi Kumar, AC to AAG-13

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-07-2024 Heard Mr. Sanjay Kumar, learned counsel for the
petitioner and the State.

*2. The present petition has been filed for issuance of a
writ in the nature of mandamus commanding and directing the
respondent authority specially the Registrar, cooperative*



Society, Bihar, Patna to dispose of Dispute Case No. 45 of 2023 which was filed for quashing the resolution of the Managing Committee of the Primary Agriculture Credit Society, Dumra (hereinafter referred to as 'PACS') in which they are not complying the direction of Joint Registrar, Cooperative Society as contained in memo no. 204 dated 08.04.2021 and also the consequential order issued by the District Cooperative Officer as contain in order containing memo no.868 dated 6.05.2021 and/or for issuance of such other order or direction for which petitioner may be found legally entitled to facts and circumstances of the case.

3. Learned counsel for the petitioner submits that though he preferred the Dispute Case No. 45 of 2023, being aggrieved by the resolution of the Managing Committee of the Primary Agriculture Credit Society, Dumra (henceforth for short, 'the PACS'), only adjournments are being made and case is not coming to its logical conclusion and as such, ultimately the purpose for which it has been filed may get defeated.

4. Learned State Counsel submits that in case, the dispute case is/are filed under 'the Act' it has to be taken to its logical conclusion within a time frame.

5. This Court has taken note of the fact that a number



of the cases, the petitioner has to approach the case only with a simple prayer, as in this case, to dispose of a dispute case pending before the respondent no. 3, the Registrar Co-operative Societies, Bihar, Patna.

6. The Section 48 of the Bihar Co-operative Societies Act, 1935 is complete and has detailed out the functions/work assigned to the Registrar.

7. Once the dispute case is filed, he can act in the matter and decide at an earliest:

(i) either to decide the dispute himself and /or;

(ii) to transfer for disposal to any person excising the power on his behalf.

8. Once the said decision is taken, it is further necessary to notice necessary party, hear them and pass an order at an earliest. Though considering the constraint that the society may be facing in the disposal of the cases, it is high time that they themselves go through the modalities and ensure that it is disposed of preferably within a period of six months.

9. It is ordered so in this particular case also. The Dispute Case No. 45 of 2023 be taken up expeditiously after noticing all the parties, if still not noticed, hear them regularly and disposed it of within a period of six months from the date



the copy of the order is produced before the concerned authority.

10. The writ petition stands disposed of.

(Rajiv Roy, J)

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