

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8747 of 2024

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Dinesh Kumar Pandey @ Dinesh Pandey S/o Harihar Pandey Ex Adhyaksh
Pawar PACS, Block-Agiaon, Bhojpur, Ara, Resident of Khaneth, Police
Station- Pawana, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Joint Registrar Co-operative Committee,
Patna Pramandal Patna
2. The Principal Secretary, Co-operative Department, Govt. of Bihar,
Secretariat, Patna
3. The Director, Co-operative Department, Govt. of Bihar, Secretariat, Patna
4. The District Co-operative Officer Co-operative Committee, Bhojpur, Ara
5. The District Audit Officer Co-operative Committee, Bhojpur, Ara
6. The Circle Officer Block Agiyanw, District- Bhojpur (Ara)
7. The Block Development Officer, Block Agiyanw, District- Bhojpur (Ara)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh
For the Respondent/s : Mr.Addl. Advocate General 5

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 04-12-2024 Heard the parties.

2. As per audit report dated 16-09-2022, the recoverable amount from the petitioner who was the Chairman of Pawar PACS, Block Agion, was Rs. 17,12,836.05. Exercising the power u/s 40 of the Bihar Co-operative Societies Act, 1935, the Joint Registrar, Co-operative Societies by the impugned order dated 19-05-2023, directed the petitioner to deposit the due amount in the account of Pawar PACS within a period of one month from the date of passing of that order otherwise he



would be liable for the interest at the prevailing bank rate.

3. The preliminary objection has been raised by the learned counsel for the State stating that u/s 40(3) of Bihar Co-operative Societies Act, 1935, the impugned order is appellable before the State Government under sub-section 3 of Section-40 of the Act.

4. This writ petition stands disposed of with the observation that the petitioner, if so advised, may take the recourse of alternative remedy, provided under the Statute.

5. If the petitioner takes the recourse of alternative remedy within a period of four weeks from today, the appropriate authority will decide the appeal as expeditiously as possible.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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