

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9320 of 2023

=====

Dharamshila Singh Wife of Late Vijay Kumar Singh Resident of Quarter No. C/37, Road No. 5, Punaichak Police Station, Shastrinagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-operative Department, Bihar, Patna.
2. The Deputy Registrar (I Kh), Co-operative Societies, Bihar, Patna.
3. The Police Co-operative Societies Ltd., R. Block, Patna through President/Chairman.
4. The Chairman, the Bihar Police Co-operative Society Limited, R. Block, Patna.
5. The Secretary, Police Co-operative Society Ltd., R. Block, Patna.
6. The Registrar, Co-operative Societies Bihar, Patna.
7. The Joint Registrar, Co-operative Societies Bihar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Md. Mushtaque Alam, Advocate
For the State : Mr. Rajeev Shekhar, AC to GA-13

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 10-09-2024 Heard the parties.

2. The present writ petition has been preferred
for the grant of following reliefs:-

A. For issuance of an appropriate writ/ order or direction quashing the order issued under Memo No. 2184 dated 28.03.2022 passed in Case No. 37/2018 by Deputy Registrar operative Societies under section 48(1) (I kh) Bihar, of Co- Patna the Bihar Cooperative Societies Act, 1935 by which the case of the petitioner has been rejected as contained in Annexure-6 to this write



application.

B. For issuance of appropriate writ / order or direction to transfer the membership number and the A/c No. 3585 (L/F No. 266/10) in the name of her late husband in the name of the petitioner.

C. For issuance writ/order the or of an appropriate direction commanding respondents particularly respondent no. 3 and 4 to allot the petitioner a plot of land after accepting installment of dues amount of earlier instalments deposited by the petitioner's husband late Vijay Kumar Singh, a member of the police co-operative Society as Member No. 4224.

D. For any other relief or reliefs for which entitled the petitioner is found the in Hon'ble Court.

3. A counter affidavit has finally come on behalf of the respondent nos.4 and 5 and paragraph 4 read as follows:-

4. That it is humbly stated that to resolve disputes under section 84 of the Multi-State Cooperative Societies Act, 2002 a Gazette notification has been issued by the Ministry of Agriculture (Department of Agriculture and Cooperative) on 24.02.2003 which stipulates that "the Central Government hereby directs that the power exercisable by the Central Registrar under section 84 of the Act shall also be



exercisable by the Registrar of Cooperative Societies of the State/UT in respect of Societies located in their respective jurisdiction".

5. That from the above facts it is obvious that instant dispute may be raised before the Registrar, Cooperative Societies, Bihar, Patna U/s Multi-State Cooperative Societies Act, 2002.

4. Learned counsel for the petitioner submits that, in that background, he may be granted liberty to approach the remedy before an appropriate forum.

5. Granting such liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

vinayak/-

U			
---	--	--	--

