

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 10291 of 2023

Vimal Shukla Son of Late Gagan Deo Shukla, Resident of village Sonbarsa, Ward No.2, PO. Latipur, P.S. Bathnaha. District Sitamarhi, presently the Chairman of Primary Agriculture Credit Cooperative Society, Turkaulia. Block- Bathnaha, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Cooperative, Government of Bihar, Patna.
3. The Registrar, Cooperative Societies, Bihar, Patna.
4. Madhu Priya Wife of Sri Sudhir Kumar, Resident of village and P.O. Bangaon, P.S. Bajpatti. District Sitamarhi, presently the Chairman of Sitamarhi Central Cooperative Bank Ltd., Sitamarhi.
5. Bindeshwar Prasad Yadav Son of Late Raj Nandan Prasad Yadav, Resident of village- Shahpur Sitalpatti, P.O. Manaria, P.S. Sahiyara District Sitamarhi presently the Vice Chairman of Sitamarhi Central Cooperative Bank Ltd., Sitamarhi.
6. Bipin Kumar Jha Son of Late Ramchandra Jha, Resident of village and P.O. Gisara, P.S. Parsauni, District Sitamarhi, presently the Member of Board of Director of Sitamarhi Central Cooperative Bank Ltd., Sitamarhi.
7. Ram Babu Sah Son of Sri Ramjeevan Sah, Resident of village- Dhabauli, P.O. Kumhra Bishunpur, P.S. Dumra, District - Sitamarhi, presently the Member of Board of Director of Sitamarhi Central Cooperative Bank Ltd., Sitamarhi.
8. Birendra Singh Son of Late Ram Nihora Singh, Resident of village and P.O. Fatahpur, P.S. Sheohar, District - Sheohar, presently the Member of Board of Director of Sitamarhi Central Cooperative Bank Ltd., Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Awnish Kumar, Advocate
For the Respondent/s	:	Mr. Amit Prakash, GA 13

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-07-2024 Heard the parties.

2. Petitioner has prayed for the following reliefs :

*“(I) For issuance of an appropriate writ in
the nature of MANDAMUS, commanding*



and directing the Respondent no.3 for early disposal of Election Dispute No.50 of 2023 filed by the petitioner challenging the election of Respondent no.4 as the Chairman of Sitamarhi Central Cooperative Bank Ltd, the Respondent 70.5 as the Vice Chairman of the said Bank and election of Respondent nos. 6, 7 and 8 as the Member of Board of Directors of the aforesaid Bank on the ground that even when the Respondents are disqualified to contest the election because they all are facing a surcharge proceeding and therefore, disqualified to contest the election in view of the provisions contained under Section 44BE (3) (d) of the Bihar Cooperative Societies Act,1935 read with the provisions contained under Rule-23 (1) (d) of the Bihar Cooperative Societies Rules, 1959. (II) For issuance of any other appropriate writ/writs,order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

3. The Election Dispute No. 50 of 2023 is pending before the respondent, Registrar Cooperative Society for the last one year and according to the learned counsel for the petitioner, it has not even seen the light of the day.



4. In that background, taking into account the limited prayer for which the petitioner had to move this Court, the same is disposed with a direction to the authority to immediately take up the Election Dispute Case No. 50 of 2023 and dispose it of within a period of next four months.

5. The writ petition stands disposed of.

(Rajiv Roy, J)

Prakash/-

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