

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11142 of 2023

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Yogendra Prasad S/o Late Karu Yadav, Resident of Village- Sandohara
Bhadhokhara, P.S.-Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Cooperative Department,
Govt. of Bihar, Patna.
2. The Principal Secretary, Cooperative Department, Govt. of Bihar, Patna.
3. The Secretary, Cooperative Department, Govt. of Bihar, Patna.
4. The Special Secretary, Cooperative Department, Govt. of Bihar, Patna.
5. The Joint Secretary, Cooperative Department, Govt. of Bihar, Patna.
6. The Deputy Secretary, Cooperative Department, Govt. of Bihar, Patna.
7. The District Magistrate, Nawada.
8. The Treasury Officer, Nawada.
9. The District Cooperative Officer, Nawada.
10. The Block Cooperative Officer, Nardiganj, Nawada.
11. The Block Development Officer, Nardiganj, Nawada.
12. The Circle Officer, Nardiganj, Nawada.
13. The Block Cooperative Extension Officer, Nardiganj, Nawada.
14. The Chairman, Primary Agriculture Credit Society, Parma Block, Nardiganj,
Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate
For the Respondent/s : Mr. Uday Shankar Sharan Singh (GP-19)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 12-02-2024

Heard Mr. Alok Kumar Jha, learned counsel
appearing on behalf of the petitioner and Mr. Uday Shankar
Sharan Singh, learned GP-19 for the State.

2. Learned counsel appearing on behalf of the
petitioner admits that already a godown with a capacity of one



thousand metric ton has been allowed by the District Cooperative Officer, Nawada, to be constructed even though he had himself stayed the construction. He has made a specific statement in paragraph no. 18 informing that a Four Men Committee was constituted vide order dated 17.01.2023 by the District Cooperative Officer, Nawada for submitting report and the report was submitted on 23.01.2023. He clarifies that the Committee was only required to give information, as to whether, construction work of godown is in progress, however, no report with respect to the capacity of the godown was called for by the District Cooperative Officer, Nawada. He further submits that the godown has already been constructed and is not in a village, which the site is the most suitable for the purpose.

3. Mr. Uday Shankar Sharan Singh, learned GP-19 referring to the counter affidavit submitted that considering the need of the godown for storage of grains, the District Cooperative Officer found it proper to allow the construction work and there is no violation of any By-laws as has been stated on behalf of the petitioner. He further submits that the District Cooperative Officer has been obliged to go through the expenditure incurred in the construction of the godown, however, no such statement has been made in the counter



affidavit.

4. Considering the rival submission made on behalf of the parties, the District Magistrate, Nawada, is directed to call for the audit report of the concerned PACs, all the relevant records from the office of the District Cooperative Officer, Nawada and verify from it, as to whether, any extra amount has been shown as expenditure as per the government guidelines with respect to the construction of a government building or building of a cooperative society, as well as, due to inappropriate site, the cost has been escalated.

5. The District Magistrate, Nawada, is directed to give equal opportunity of hearing to all the affected parties and pass a reasoned order in accordance law within a period of six weeks from the date of communication of this order.

6. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	16.02.2024
Transmission Date	N/A

