

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14448 of 2024

Abhimanyu Kumar S/o- Jay Narayan Rai Resident of Village- Ward No. 3,
Mohani, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Co-operative Department, Patna.
2. The Registrar, Co-operative Societies, Bihar, Patna.
3. The District Co-operative Officer, Sitamarhi.
4. The Assistant Registrar, Co-operative Society, Nanpur, Sitamarhi.
5. The State Election Authority, Bihar, Patna through its Chief Executive Officer, Patna.
6. The Secretary, State Election Authority, Mangles Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Jha, Adv.
For the Respondent/s	:	Mr. Subhash Pd Singh, Government Advocate (3)
For Resps No. 5 & 6.	:	Mr. Mukesh Kumar Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2024 Heard Mr. Pankaj Kumar Jha, learned counsel for the

petitioner, Mr. Mukesh Kumar Thakur representing Respondents

No. 5 and 6 as also Mr. B.P. Mandal, learned state counsel.

2. The present writ petition is filed on behalf of the
petitioner for the following reliefs:-

*“ (i) For issuance of an
appropriate writ/s, order/s, direction/s to
respondent to accept the membership form of
the petitioner for becoming member of
Mohani, Nanpur Pacs Society for which he
applied in form-V through online process as
per Rule-7 (1) of Bihar Co-operative Society
Rule.*



(ii) For issuance of an appropriate writ/s, order/s, 01.07.2024 direction/s for quashing order dated 27.07.2024) whereby and under the application filed for membership of Mohni Pacs has been rejected on erroneous ground of Bank Passbook being not uploaded whereas online form shows that the bank detail has already been uploaded.

(iii) For issuance of an appropriate writ/s, order/s, direction/s to hold and declare that action of Chairman of Mohni Pacs is bad in law and the decision taken by respondent Assistant Registrar in declining the application of the petitioner is bad.

(iv) To pass such other order/orders as your lordships may deem fit and proper in facts and circumstances of the case.

3. Learned counsel appearing for the State Election Authority took this Court to Annexure-3 which shows that the petitioner has already availed the remedy against rejection of his application under section 7(2) of the Bihar Co-operative Rules, 1959 by filing an appeal in which as per the writ petition the date was fixed as 18.06.2024.

4. Learned counsel for the petitioner submits that the appeal is still pending.



5. It has been informed by the learned counsel for the petitioner that he appeared twice but presently no date has been fixed. If the said contention is correct and presently the appeal is without any date, let the respondent take up the matter on 18.10.2024 whereafter the Registrar will be free to fix the next date of hearing.

6. Considering the nature of the case as also the rejection of application order, it will be appropriate that petitioner pursue the appeal pending before the Respondent-Registrar. If he appears and presents his case diligently, it is expected that the respondent-Registrar, Co-operative Societies, Bihar, Patna shall take the matter and dispose it of expeditiously.

7. The writ petition stands disposed of.

(Rajiv Roy, J)

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