

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2503 of 2023

In
Civil Writ Jurisdiction Case No.15188 of 2014

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1. Shyam Deo Prasad Son of Late Shivvarat Mahto, Resident of Village- Lodipur, P.S.- Khizersarai, District- Gaya.
 2. Ram Pravesh Singh, Son of Late Baldeo Singh, Resident of Village and P.O.- Musepur, P.S.- Khizersarai, District- Gaya.
 3. Abhay Kumar Sharma, Son of Late Bachha Singh, Resident of Village and P.O.- Rauniya, P.S.- Khizersarai, District- Gaya.
 4. Jasim Akhatar Son of Late Md. Mohasin, Resident of Village and P.O.- Sapaneri, P.S.- Khizersarai, District- Gaya.
 5. Arvind Kumar, Son of Late Babulal Mahto, Resident of Village- Horya P.O.- Vidaul, P.S.- Khizersarai, District- Gaya.
 6. Ram Waran Prasad, Son of Late Shiv Charan Mahto, Resident of Village - Milki, P.O.- Sarhda, P.S.- Mahakar, District- Gaya.
 7. Gajendra Kumar Singh, Son of Late Ramdeo Singh, Resident of Bara, P.O.- Takyakarapi, P.S.- Mahakar, District- Gaya.
 8. Sharawan Kumar, Son of Dwarika Prasad, Resident of Village- Kaithbigha, P.O and P.S.- Khizersarai, District- Gaya.
 9. Dhananjay Kumar, Son of Ganesh Singh, Resident of Dhushri Pex Arti, P.S.- Khizersarai, District- Gaya.
 10. Balmukund, Son of Kamlesh Kumar Singh, Resident of Village and P.O.- Bihta, P.S.- Khizersarai, District- Gaya.
 11. Shashi Bhushan Sharma, Son of Shri Kedar Nath Sharma, Resident of Village- Deo Gaow, P.O- Chiraili, P.S.- Khizersarai, District- Gaya.
 12. Ankit Kumar, Son of Shri Subedar Singh, Resident of Village Isamailepur, P.O.- Arma Chauki, P.S.- Khizersarai, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Amir Subhani, the Chief Secretary, Government of Bihar, Patna.
2. Mr. Dipak Kumar Singh, Additional Chief Secretary, Cooperative Department, Government of Bihar, Patna.
3. Mr. Rajesh Meena, Registrar Cooperative Society, Government of Bihar, Patna.
4. Mr. Thiya Garanjan SM, the District Magistrate, Gaya.
5. Mr. Prabhat Kumar, Joint Registrar, Cooperative Society, Magadh Division, Gaya.
6. Mr. Vidya Bhushan, Assistant Registrar, Cooperative Society, Gaya.

... .. Opposite Party/s



Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Opposite Party/s : Mr. Amit Prakash (GA 13)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 29-03-2024

For non- compliance of the orders of this court dated 30.11.2021 passed in CWJC No.14267/2014. We have passed various directions / orders for compliance. Show cause on behalf of the Opposite Party No. 3 has been filed alongwith certain documents. The same is taken on record. It is necessary to reproduce para 8 of the supplementary show cause of Opposite Party No.3 dated 29.03.2024 and it reads as under:-

“That it is important to apprise the Hon’ble Court that in compliance of the direction issued by the Cooperative Department with regard to nullifying the membership granted in terms of Rule 7 (4) of the Bihar Cooperative Societies Rules, 1959 by providing opportunity of hearing to the parties concerned, the present position in this regard is that till 28.03.2024 nearly 83017 persons have been granted membership under said Rule and notices to 22739 has been issued. The said total number is likely to exceed more. Many notices are being returned unreceived. Thus, the deponent humbly prays to this Hon’le Court to grant some more time to comply the order fully and also in true spirit. Further it is also humbly submitted that due to model Code of Conduct enforced by the Election Commission of India, has somehow also restricted the pace of nullifying the membership of



such persons who have been granted membership under Rule 7 (4).”

Taking note of aforementioned efforts we appreciate insofar as implementation of the order of this court however, still partial compliance is warranted. Having regard to the large number of persons are involved for compliance of the order of this court. The concerned authority is hereby directed to take out notice through newspaper who are all unserved and complete the proceedings within a period of four months from today.

2. With the above observation, the present MJC contempt petition stands dropped, reserving liberty to the petitioner to file Interlocutory Application to revive this order in the event of non-compliance after four months.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

amitkumar/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08.04.2024
Transmission Date	N/A

