

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13516 of 2024

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Bhola Yadav Son of Dhaneshwar Yadav Resident of Village- Bhorasar, P.O.- Bhairoganj, P.S.- Chandan, Katoriya, District- Banka at present the Chairman, Chandwari PACS, at- Chittakhar, P.O.- Bhairoganj, Dist.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Cooperative, Government of Bihar, Patna.
2. The Registrar Cooperative Societies, Bihar, Patna.
3. The Bihar State Election Authority, 32, Harding Road, Patna through its Secretary.
4. The Secretary, Bihar State Election Authority, 32, Harding Road, Patna-800001.
5. The Advisor, Bihar State Election Authority, 32, Harding Road, Patna.
6. The District Magistrate, Banka.
7. The District Co-Operative Officer, Banka.
8. The Block Development Officer -cum- Election Officer, (Cooperative Societies) Block Chandan, Banka.
9. The Chandan Vayapar Mandal Co-Operative Society Ltd., at Chandan, District- Banka through its Manager-cum- Co-Operative Extension Officer.
10. The Administrator, Chandan Vayapar Mandal Co-Operative Society Ltd., at Chandan, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shahbaj Alam, Adv.
For the Respondent/s	:	Mr. Md. Harun Quareshi, AC to SC-01
For Respondent 3 to 5	:	Mr. Mukesh Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-09-2024 Heard the parties.

2. The present writ petition has been preferred for the
following relief(s):

*“(i) for issuance of appropriate
writ in the nature of certiorari for quashing
of the letter No. 998 dated 27.08.2024*



(Annexure- P/15) whereby Respondent No. 7/ the District Cooperative Officer, Banka prepared the amended voter list of 2024 election after inclusion of those names which have been deleted by the Block Development Officer-cum-Election Officer (Cooperative Societies) Chandan Block, Banka in light of the direction issued by the Advisor, Bihar State Election Authority vide letter No. 1395 dated 22.08.2024;

(ii) for issuance of appropriate writ in the nature of certiorari for quashing of the letter No. 1395 dated 22.08.2024 (Annexure- P/13) issued under the signature of the Advisor, Bihar State Election Authority, 32, Harding Road, Patna, whereby the Authority has directed to the District Cooperative Officer, Banka to include those names which have been deleted by the Block Development officer-cum-Election Officer (Cooperative Societies) Chandan and prepared amended voter list on the basis of 2017 voter list;

(iii) for issuance of appropriate writ/writs, order/orders, direction/directions for commanding and directing the competent authority to hold enquiry as to under what circumstances the authority is directed to publish the amended voter list in terms of the unverified voter list of 2017, so that the free



and fair election may be conducted;

(iv) for issuance of appropriate writ/writs, order/orders, direction/directions for commanding and directing the respondent authorities to stay the further implementation of Notification dated 23.08.2024 (Annexure- P/14) issued by the Secretary, Bihar State Election Authority, 32, Harding Road, Patna till the voter list is verified in terms of the provision of Rule 12 (A) of Bihar Cooperative Societies (Amendment) Rules, 2008;

(v) for issuance of appropriate writ/writs, order/orders, direction/directions for commanding and directing the respondent authorities to accept the voter list of 20.07.2024 and hold the election on same voter list which was duly verified and prepared by the District Cooperative Officer, Banka and published by the Authority on 01.08.2024 in terms of the provision of Rule 12 (A) of Bihar Cooperative Societies (Amendment) Rules, 2008 (Annexure- P/9).”

3. After some argument, learned counsel for the petitioner prays for withdrawal of the petition and further submits that Membership Dispute No. 122 of 2022 pending before the respondent- Registrar Cooperative Society, Bihar,



Patna for the last two years.

4. Learned State Counsel representing the respondent no. 1 and 2 submits that the same will be taken to its logical conclusion at an earliest. Incorporating the statement of the learned State Counsel, this writ petition stands withdrawn and it is expected that the respondent no. 2 will abide by the undertaking that has been given by the learned State Counsel.

(Rajiv Roy, J)

Vijay Singh/-

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