

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16052 of 2023

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Bihar Rajya Matsyajibi Sahkari Sangh Ltd., 1st Floor, Meen Bhawan, West Boaring Caal Road, P.S.- S.K. Puri, Patna-23, through its Managing Director, Rishikesh Kashyap, aged about-45 years, Son of Sri Jibachh Sahni, resident of Mohalla- Shivaji Nagar, P.S.- Town, District- Darbhanga.

... .. Petitioner/s

Versus

1. The Union of India, through the Secretary, Ministry of Co-operation, Government of India Atal Akshay Urja Bhawan, Lodi Road, CGO Complex, New Delhi-03.
2. The Central Registrar, Co-operative Societies Atal Akshay Urja Bhawan, Lodi Road, CGO Complex, New Delhi-03.
3. The Assistant Commissioner, Ministry of Co-operation, Government of India, Atal Akshay Urja Bhawan, Lodi Road, CGO Complex, New Delhi-03.
4. The Joint Director, Co-operative Societies, Atal Akshay Urja Bhawan, Lodi Road, CGO Complex, New Delhi-03.
5. The State of Bihar, through the Secretary, Co-operative Department, Bihar, Patna.
6. The Registrar, Co-operative Societies, Bihar, Patna.
7. The Deputy Registrar, Co-operative Societies, Bihar, Patna.
8. The Assistant Registrar, Co-operative Societies, Bihar, Patna.
9. The Joint Registrar, Co-operative Societies, Patna Division, Patna.
10. The State of Jharkhand, through the Secretary Co-operative Dept., Jharkhand at Ranchi.
11. The Registrar, Co-operative Societies, Jharkhand at Ranchi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Kumar, Advocate.
For the Union of India	:	Mr. Sujeet Kumar Sinha, C.G.C.
For the State	:	Mr. Zeeshan Kalim, AC to SC-20.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 08-01-2024

Heard Mr. Krishna Kumar, learned counsel appearing on behalf of the petitioner; Mr. Sujeet Kumar Sinha, learned counsel for the Union of India and Mr. Zeeshan Kalim, learned AC to SC-20 for the State.

2. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner has already filed



an application before the Central Registrar, Cooperative Societies, New Delhi for registration of his society in light of the Multi State Cooperative Society Act, 2002 (Act 39 of 2002) after bifurcation of the State of Bihar into Bihar and Jharkhand in accordance with the Bihar Reorganization Act, 2000. The Act provides that the petitioner's society to be deemed multi state cooperative society.

3. Learned counsel appearing on behalf of the petitioner further submits that after enactment of Multi State Cooperative Societies Act, 2002 and in view of the Section 103 of the said Act, the petitioner society has become deemed Multi State Cooperative Society. The Government of India, Ministry of Agriculture and Farmers' Welfare, Department of Agriculture, Cooperation & Farmers' Welfare issued order dated 19.10.2016 under the signature of Joint Secretary to the Government of India and Central Registrar of Cooperative Societies passed in compliance of order dated 04.12.2015 passed by this Court in C.W.J.C. No. 16760 of 2012 (Pragatishil Adarsh Sahakari Grih Nirman Samiti Ltd. & Anr. vs. The State of Bihar).

4. After the reorganization of the State of Bihar in the year 2000, the society remained to function in the newly reorganized State of Jharkhand and, therefore, as per the mandate of statutory provision of Section 103 of the Multi State



Cooperative Societies Act, 2002 and considering the submission of the petitioner that the Society has taken steps to obtain registration certificate from the Central Registrar of Cooperative Societies, in light of the decision of the Joint Secretary to the Government of India, Ministry of Agriculture & Farmers’ Welfare, Department of Agriculture, Cooperation & Farmers’ Welfare, the Central Registrar of the Cooperative Societies, New Delhi may issue registration certificate to the Registrar, Cooperative Societies, Bihar.

5. With the aforesaid observation and direction, the writ petition stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	12.01.2024
Transmission Date	N.A.

