

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14756 of 2024

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Ranjeet Kumar Singh Son of Ram Kripal Singh Resident of Village-Baruna,
P.O.-Sihuli Khaira, P.S.-Rafiganj, District-Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Co-operative Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Co-operative Department, Government of Bihar, Patna.
3. The Principal Secretary, Co-operative Department, Government of Bihar, Patna.
4. The District Magistrate, Aurangabad.
5. The District Co-operative Officer, Aurangabad.
6. The Assistant Registrar, Registration Department, Aurangabad.
7. The Circle Officer, Rafiganj, Aurangabad.
8. The Revenue Karamchari, Rafiganj Anchal, Aurangabad.
9. The Chairman, Baruna PACS, Rafiganj, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Advocate
For the State	:	Mr. Standing Counsel (4)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-09-2024 Heard Mr. Ravindra Kumar, learned counsel for the

petitioner and learned counsel for the State.

2. The present petition has been filed for the grant of
following relief:-

*That this is an application for issuance of writ of
mandamus for restraining the respondents from
constructing PACS Godown at Village-Chandaul
away from the headquarter of Baruna PACS in
spite of availability of land ignoring the*



departmental guidelines and to conduct an enquiry regarding arbitrary action taken by the respondents to. construct the Godown of Baruna PACS at Chandaul and not at the headquarter which is at a distant place in defiance of the departmental guidelines and for direction to construct Godown at the headquarter of Baruna PACS and for issuance of other appropriate writ/writs, order/orders, direction/direction in the facts and circumstance of this case.

3. The matter related to construction of a godown which according to the petitioner should have been at Baruna which is the headquarter instead of Chandaul. According to him, the decision has been taken to construct the godown at Chandaul which is in the teeth of notification no.10794 dated 26.12.2016 issued by the Cooperative Department Bihar, Patna.

4. Learned counsel for the State submits that decision is not taken by the Chairman of the PACS. As per the said notification itself, a committee is there in which the Divisional Joint Registrar, Cooperative Society and District Audit Officer, Cooperative Society also take part and the same is headed by the Divisional Joint Registrar, Cooperative Society.

5. Learned counsel for the petitioner submits that he has approached all the respondents including the District



Magistrate, Aurangabad without any reply whatsoever and in that connection, he has taken to Annexure-3 which is the receipt from the office of the said respondent District Magistrate, Aurangabad dated 27.08.2024.

6. Whether the construction of godown will be suitable at Baruna or Chandaul and further, whether it is in compliance of the guideline of the notification no.10794 dated 26.12.2016 issued by the Cooperative department or not, the same has either to be considered by the respondent no.2, the Additional Chief Secretary, Cooperative Department, Bihar, Patna and/or the District Magistrate, Aurangabad (respondent no.4).

7. Learned counsel for the petitioner submits that he will be approaching the respondent no.4, the District Magistrate, Aurangabad along with all the documents so that a proper decision is taken.

8. In that background, if the petitioner submits a proper petition along with document before the respondent no.4, the District Magistrate, Aurangabad, he will give personal hearing to the petitioner, the District Cooperative Officer as also the Managing Director of the Baruna PACS, Rafiganj, Aurangabad (respondent no.9) and thereafter shall take a



decision to be communicated to all the necessary parties at an earliest. It is expected that the respondent District Magistrate, Aurangabad shall conclude the entire proceeding preferably with a period of three months from the date the petition is preferred to his office.

9. The writ petition stands disposed of.

(Rajiv Roy, J)

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