

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16617 of 2024

Navin Kumar Mishra, Son of Umakant Mishra, the Erstwhile Manager,
Sadapur Purvi Primary Agriculture Credit Co-operative Society Ltd. Block-
Sahebpur Kamal, District-Begusarai, Resident of Village and P.O. Gokhle
Nagar, Via-Lakhminiya, P.S. Baliya, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additinal Chief Secretary, Co-operative Department, Government of Bihar, Patna.
2. The Minister, Co-operative Department, Government of Bihar, New Secretariat, Patna.
3. The Secretary, Co-operative Department, Government of Bihar, Patna.
4. The Registrar, Co-operative Society, New Secretariat, Bihar, Patna.
5. The District Co-operative Officer, Begusarai.
6. The Senior Audit Officer-Cum-Enquiry Team Member, Co-operative Societies, Samastipur.
7. The Block Co-operative Extension Officer, Sahebpur Kamal, District-Begusarai.
8. The Chairman, Sadpur Purvi Primary Agriculture Credit Co-operative Society Ltd., Block-Sahebpur Kamal, District-Begusarai.
9. The District co-operative officer-cum-Certificate officer Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.
For the Respondent/s : Mr. Government Advocate (9)
Mr. Vikash Jha, AC to GA 9

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 18-12-2024 Learned counsel appearing on behalf of the respondent/State has stated that the present CWJC is not maintainable as the petitioner has not filed his objection under Section 9 of the Act. That the petitioner may be directed to file his objections under Section 9 of the Recovery Act and the same shall be taken into consideration before passing final order under Section 10 of the Act.



2. Having regard to the fact that the petitioner is challenging the initiation of the recovery proceedings and also the order passed by the District Co-operative Officer, Begusarai, vide Memo No. 370 dated 05.05.2018. This Court is of the opinion that the ends of Justice would be served if the petitioner is directed to file his objections under Section 9 of the Recovery Act to the notice under Section 7 issued by the authorities.

3. Having regard to the above, the present writ petition is disposed of with the direction to the petitioner to file his objections under Section 9 of the Recovery Act within a period of four weeks from today. On such objections being filed, the authority concerned shall consider the same in accordance with law and pass necessary final orders within a period of eight weeks thereof.

4. Till such time the final orders are passed, the authorities are directed not to take any coercive steps against the petitioner.

5. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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