

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17099 of 2024

1. Girjesh Kumar Rai son of Late Ved Narayan Rai, resident of village - Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District - Rohtas at Sasaram.
2. Rakesh Kumar Rai, son of Late Ved Narayan Rai, resident of village - Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District - Rohtas at Sasaram.
3. Uday Narayan Rai, son of Late Chhedi Rai, resident of village- Torni, P.O.- Torni Lehra, P.S.- Kargahar, District - Rohtas at Sasaram.
4. Dinbandhu Rai, son of Late Hriday Narain Rai, resident of village- Torni, P.O.- Torni Lehra, P.S.- Kargahar, District- Rohtas at Sasaram.
5. Naurang Ram, son of Mohan Ram, resident of village- Jogwalia, P.O.- Torni Lehra, P.S.- Kargahar, District- Rohtas at Sasaram.
6. Sri Bhagwan Ram, S/o- Somaru Ram, resident of village- Jogwalia, P.O. Torni Lehra, P.S.- Kargahar, District- Rohtas at Sasaram.
7. Jawahir Singh, son of Late Naresh Singh, resident of village- Torni, P.O.- Torni Lehra, P.S.- Kargahar, District- Rohtas at Sasaram.
8. Ajit Kumar, son of Paras Nath Singh, resident of village- Torni, P.O.- Torni Lehra, P.S.- Kargahar, District- Rohtas at Sasaram.
9. Chandra Kala Paswan, Son of Kameshwar Paswan resident of village- Torni, P.O.- Torni Lehra, P.S.- Kargahar, District- Rohtas at Sasaram.
10. Samarjeet Kumar, Son of Paras Nath Singh resident of village- Torni, P.O.- Torni Lehra, P.S.- Kargahar, District- Rohtas at Sasaram.
11. Ajit Tiwari, Son of Jitendra Tiwari resident of village- Torni, P.O.- Torni Lehra, P.S.- Kargahar, District- Rohtas at Sasaram.
12. Lakshman Singh, Son of Sri Kant Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
13. Chandrama Singh, Son of Prem Shankar Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
14. Anil Kumar Sharma, Son of Jai Ram Sharma resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
15. Manoj Singh, Son of Jagropan Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
16. Shri Bhagwan Singh, Son of Late Khakhanu Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
17. Dilip Kumar, Son of Tileshwar Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
18. Pintu Paswan, Son of Suresh Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
19. Suresh Paswan, Son of Raj Nath Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
20. Rajeshwar Paswan, Son of Baleshwar Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.



21. Om Prakash Singh, Son of Late Bahadur Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
22. Surendra Sharma, Son of Late Ramji Sharma resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
23. Basant Ram, Son of Late Jangi Ram resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
24. Jitendra Kumar Baitha, Son of Lakshman Baitha resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
25. Dadan Ram, Son of Late Rajnath Ram resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
26. Lakshman Baitha, Son of Late Bilat Baitha resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
27. Birendra Ram, Son of Late Mangaru Ram resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
28. Ram Raj Singh, Son of Late Shiv Narayan Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
29. Deepak Kumar, Son of Girija Prasad Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
30. Ashok Singh, Son of Late Bechan Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
31. Bajrangi Singh, Son of Sidheshwar Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
32. Tej Bahadur Singh, Son of Sita Ram Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
33. Rajoo Kumar Singh, Son of Raja Ram Singh resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
34. Dinanath Paswan, Son of Late Lalan Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
35. Munna Paswan, Son of Late Sheshar Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
36. Rajmunna Kuer, Wife of Late Ram Ekbal Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
37. Baleshwar Paswan, Son of Late Ram Badan Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
38. Mritunjay Tiwari, Son of Birendra Tiwari resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
39. Rohit Sah, Son of Keshwar Sah resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
40. Rohit Kumar, Son of Dinanath Paswan resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
41. Saroj Kumar Gupta, Son of Bhola Sah resident of village- Baur, P.O.- Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.
42. Ajay Kumar Rai, Son of Late Raj Bansh Rai resident of village- Baur, P.O.-



Akhtiarpur, P.S.- Kargahar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Additional Chief Secretary, Department of Cooperative, Government of Bihar, Patna.
- 2. The Registrar, Cooperative Societies, Bihar, Patna.
- 3. The District Magistrate -cum- District Election Officer (Cooperative), Rohtas at Sasaram, District - Rohtas at Sasaram.
- 4. The Assistant Registrar, Cooperative Societies, Rohtas at Sasaram, District- Rohtas at Sasaram.
- 5. The District Cooperative Officer, Rohtas at Sasaram, District Rohtas at Sasaram.
- 6. The Block Cooperative Officer, Kargahar, District- Rohtas at Sasaram.
- 7. Rivan Primary Agriculture Credit Cooperative Society through its Chairman Rakesh Kumar Rai (male), son of Sri Ram Ashish Rai, resident of village- Torni, P.O.- Torni Lehara, P.S.- Kargahar, District - Rohtas at Sasaram.
- 8. The State Election Authority, Bihar Patna through the Chief Election Officer, Bihar, Patna.
- 9. The Secretary, The State Election Authority, Bihar Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam, Advocate Mr.Awnish Kumar, Advocate
For the Respondent/s	:	Mr. Kinkar Kumar, Standing Counsel (09) Ms. Sushmita Sharma, AC to SC-9
For the Election Authority	:	Mr. M. K. Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 13-11-2024 Heard the parties.

2. The online applications for membership of the petitioners were rejected by the committee on the ground that the member, recommending the applications did not sign over that and in this respect, the concerned member has also given information in writing.



3. Being aggrieved by the order of the committee, the petitioners preferred the appeal before the Assistant Registrar, Co-operative Societies (Respondent No. 4) and by the impugned order, their appeals have been rejected.

4. Mr. S.B.K. Mangalam, the learned counsel appearing on behalf of the petitioners, has submitted that the impugned order is cryptic and erroneous as the appellate authority even did not take pain to peruse the materials of the proceedings. The appellate authority has relied upon only on the oral submission of one of the representatives of the society.

5. On the otherhand, the learned counsel for the State Election Commission and the learned counsel for the State have submitted that the order impugned is well within the jurisdiction and it need no interference.

6. From bare perusal of the impugned order, it appears that the records of the proceeding and the materials have not been discussed in the impugned order.

7. Considering the aforesaid facts and circumstances of the case, the impugned order is set aside. The matter is remanded back to the appellate authority with a direction to dispose of the appeal by a detail, reasoned and speaking order. The appellate authority shall take every endeavour to dispose of



the appeal before commencement of the nomination process. At the same time, it shall also be ensured that the ongoing process of election may not be hindered due to this order.

8. With the aforesaid observations/direction, this writ petition is disposed of.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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