

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.81 of 2024

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Shashi Shankar Son of Akhileshwar Prasad Singh, Resident of Village 84 Maharani Road, New Arariya, Vishwar Talab, P.S.-Makhdumpur, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Co-operative Department, Government of Bihar, Patna.
3. The Registrar, Co-operative Department, Government of Bihar, Patna.
4. The Joint Registrar, Co-operative Department, Government of Bihar, Patna.
5. The District Co-operative Officer, District-Jehanabad.
6. The Block Development Officer, Block-Makhdumpur, District-Jehanabad.
7. The District Magistrate, District-Jehanabad.
8. Kamlesh Kumar, son of Surendra Singh, Resident of Village-Koily, P.O.-Sagarpur, P.S. Makhdumpur, District-Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs. Ritika Rani, Advocate Mr. Dinu Kumar, Advocate Mr. Vardan Mangalam, Advocate
For the Respondent/s	:	Mrs. Himja Gautam Singh, Advocate Mr. Muhtabaul Haque (GP-12) Mr. Pranoy Kumar, AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 19-08-2024 Heard Mr. Dinu Kumar, learned counsel for the

petitioner and the State.

2. The present writ petition has been preferred for the

grant of following relief/s:-

*“i. For commanding the respondents to
take appropriate decision against Kamlesh
Kumar, Son of Surendra Singh, Resident of
Village-Koily, P.O-Sagarpur, P.S- Makhdumpur,
District-Jehanabad, respondent no.8 who has
been elected as the Chairman of Primary*



Agriculture Credit Societies (for brevity PACs) after concealing the criminal antecedent and the property at the time of filing the nomination paper on 26/11/19.

ii. To hold and declare, election of Kamlesh Kumar, respondent no.8 as the Chairman PACs, who has won the election for the post of the Chairman, PACs after concealing the criminal antecedent and the property is fit to be declared illegal, void, ab-initio and not sustainable in the eyes of law.

iii. To hold and declare, continuation of Kamlesh Kumar, respondent no.8 as the Chairman PACs, who has won the election for the post of the Chairman, PACs after concealing the criminal antecedent and the property is fit to be declared illegal, void, ab-initio and not sustainable in the eyes of law.

iv. For commanding the respondents to restrain the working of Kamlesh Kumar, respondent no.8 as the Chairman PACs, who has won the election for the post of the Chairman, PACs after concealing the criminal antecedent and the property.

v. Also for necessary relief/reliefs, order/orders, direction/directions for which the petitioner is entitled in the eye of law as well as on facts of the case.”

3. Mr. Dinu Kumar straightaway took this Court to the part of the Annexure-3 (page 28 of the writ petition) to submit



that against the suppression of fact in the affidavit by the respondent No. 8, Kamlesh Kumar, he has already preferred petition before the respondent no. 3, the Registrar Cooperative Department, Bihar, Patna which was duly received on 18.05.2023 as would be seen from the stamp but no decision has been taken.

4. Learned State counsel submits that if a proper petition has been preferred, the same will be taken to its logical conclusion.

5. In that view of the matter, the writ petition stands disposed of directing the respondent no. 3, the Registrar Cooperative Department, Bihar, Patna to take the petition dated 18.05.2023 to its logical conclusion after putting all the relevant parties to notice and giving proper hearing to him.

6. The entire exercise must be completed in next six months.

7. The present writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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