

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17501 of 2024

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Rakesh Kumar Son of Vishwanath Singh @ Vishnnath Singh Resident of
Village- Hussepur, Tola- Pach Khiya, P.O. Hussepur, P.S. Sahebganj, District-
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Cooperatigve, Government of Bihar, Patna.
2. The Registrar, Cooperative Societies, Bihar, Patna.
3. The District Magistrate-Cum-District Election Officer (Cooperative), Muzaffarpur, District-Muzaffarpur.
4. The Assustant Registrar, Cooperative Societies, Tirhut Division, Muzaffarpur.
5. The District Cooperative Officer, Muzaffarpur, District-Muzaffarpur.
6. The Block Developemnt Officer-Cum-Returning Officer Cooperative Election, 2024, Sahebganj Block, District-Muzaffarpur.
7. The Block Cooperative Officer, Sahebganj, District-Muzaffarpur.
8. Husepur Rati Primary Agriculture Credit Cooperative Society, Hussepur, P.O. Hussepur, P.S. and Block-Sahebganj, District-Muzaffarpu, through the Chairman.
9. The State Election Authority, Bihar Patna through the Chief Election Officer, Bihar, Patna.
10. The Secretary, The State Election Authority, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Manglam, Adv.
For the State	:	Mr. Yogendra Prasad Sinha, AAG 7
For the S.E.C.	:	Mr. M. K. Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

2 18-11-2024 Heard learned counsel for the parties.

2. At the very outset, learned counsel for the petitioner submits that by the Resolution of the Committee he was given membership of the Society and in pursuance thereof, he deposited the membership fee/share money on 28.06.2024 in the



account of the Society maintained by Central Co-operative Bank, Muzaffarpur. After depositing of the membership fee/share money, the name of the petitioner was included in the draft voter list published by the Returning Officer (respondent no. 6) but his name did not appear in the final voter list.

3. Learned counsel for the State Election Authority fairly admits that the petitioner has deposited membership fee/share money much before the cut-off date.

4. It appears that the petitioner is a full member of the PACS as he was granted membership by the Society and he deposited membership fee/share money so he cannot be debarred from filing of nomination paper unless/otherwise there is any other reason for making him disentitled from filing the nomination paper.

5. With this observation, the writ petition stands disposed of.

6. The learned AAG-7 for the State is directed to communicate this order to the B.D.O., Sahebganj in the District of Muzaffarpur for its compliance.

(Nawneet Kumar Pandey, J)

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