

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17520 of 2024

Monu Kumar Paswan Son of Sita Ram Bhagat Resident of Village- Daudpur
Ward no. 10, PO Chakgadho, P.S.- Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

1. State of Bihar through the Additional Chief Secretary, Department of Co-operative Government of Bihar, Patna.
2. The Registrar Co-Operative Societies, Government of Bihar, Patna.
3. The District Magistrate-Cum-District Election Officer, District-Vaishali at Hazipur.
4. The District Co-operative Officer, Vaishali, District-Vaishali at Hazipur.
5. The Assistant Registrar Co-Operative Societies, District-Vaishali at Hazipur.
6. The Block Development Officer-Cum-Returning Officer, Bidupur District-Vaishali at Hazipur.
7. Daud Nagar Primary Agriculture Credit Co-Operative Society Limited, through its Chairman, P.O.-Chakgadho, P.S.-Bidupur District-Vaishali at Hazipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.B.K. Manglam with Mr. Awnish Kumar and Mr. Ashok Kumar, Advocates
For the State	:	Mr. Suman Kumar Jha, AC to AAG 3
For the Res. No. 7	:	Mr. Mukesh Thakur, Adv.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 21-11-2024 Heard learned counsel for the parties.

2. The petitioner presented his application for online membership which was rejected by the Committee on 23.01.2024, against that order the petitioner filed an appeal before the Assistant Registrar, Co-operative Societies, Vaishali at Hajipur on 20.02.2024. The order was reserved on 09.10.2024 and the appeal was allowed on 18.10.2024 and after order of the



Appellate Court the petitioner deposited membership fee/share money on 19.10.2024.

3. Learned counsel for the petitioner submits that he intends to contest the PACS election 2024 and has submitted the application for membership in January, 2024 which was ultimately allowed by the Appellate Authority on 18.10.2024, so his right to become a member though accrued on 23.01.2024 but ultimately his membership was allowed on 18.10.2024.

4. On the other hand, learned counsel for the State Election Authority has submitted that as per Bihar Co-operative Societies Rule, 1959 read with by-laws of the Society makes a provision that the membership of PACS commences from the date of deposition of the membership fee/share money and as per notification of PACS election 2024, the cut off date of membership is 03.10.2024.

5. The petitioner preferred the appeal in February, 2024 but the order was passed on 18.10.2024 after a period of eight months of filing of the appeal and the delay was not due to laxity of the petitioner.

6. In that view of the matter, the State Election Authority, Patna (Bihar) is directed to look into the matter in accordance with law and it is expected that the State Election



Authority shall dispose of the matter preferably before the PACS election 2024. It is hereby clarified that the process of ongoing election should not be disturbed.

7. With these observation, the writ petition stands disposed of.

(Nawneet Kumar Pandey, J)

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