

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.860 of 2024

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Sudhanshu @ Sudhanshu Tiwary Son of Ravindra Nath Tiwary Resident of
Lane Of Dr. Arshad Ekram, New Colony, Pakri, PS Nawada, District Arrah,
Bhojpur, Bihar 802301

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Cooperative Department
Government of Bihar, Patna.
2. The Registrar, Cooperative Department Government of Bihar, Patna.
3. Joint Registrar, Cooperative Societies, Patna Division, Patna.
4. Block Development Officer-Cum-Returning Officer, Dugdh Utpadak Samiti
Election, Block Dumraon, District-Buxar.
5. District Cooperative Officer, Buxar.
6. Vinod Singh Yadav @ Binod Singh Yadav S/o Chota Singh Yadav @ Chotku
Presently Chairman, Koransarai Dugdh Utpadak Sahyog Samiti, Block
Dumraon, District-Buxar.
7. Bihar State Election Authority through its Chief Election officer, 32,
Harding Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ravi Ranjan, Advocate
For the State	:	Mr. Pramod Kr. Singh, AC to SC-26
For the Election Commission:		Mr. M.K. Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-07-2024 Heard the parties.

*2. The present application has been
preferred for a direction to the respondent
no.3 for disposal of Election Petition No.
63 of 2023 at the earliest which been
filed by the petitioner challenging the
election of Respondent on grounds of
improper acceptance of nomination paper*



filed by respondent no. 6 in view of the provisions contained under section 48 of the Bihar Cooperative Societies Act, 1935 read with section 10 of the Bihar State Election Authority Act, 2008 and also for issuance of an appropriate writ in the nature of Mandamus or any other similar writ commanding and directing the Respondent election Authority as also the respondent department not to allow the Respondent No. 6 to contest any further election till his issue of disqualification gets decided by either in election petition or by the State Election Authority and for issuance of any other appropriate writ /writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.

3. It is the case of the petitioner that Election Petition No. 63 of 2023 was preferred before the respondent no.2, the Registrar, Cooperative Department, Government of



Bihar, Patna which was transferred to the court of respondent no.3, the Joint Registrar, Cooperative Societies, Patna Division, Patna on 19.10.2023 but since then it is pending. It is his submission that pursuant to the order of respondent no.2, the petitioner already sent notices to all the concerned parties.

4. Learned counsel appearing on behalf of the respondents-State submits that in that background, the respondent no.3 is duty bound to take the matter to its logical conclusion.

5. Taking into account the limited prayer of the petitioner, the writ petition stands disposed of with a direction to the respondent no.3, the Joint Registrar, Cooperative Societies, Patna Division, Patna to take up the matter and dispose it of after hearing the parties within a period of four months from the date the copy of the order is provided to the said office, if it still it has not been disposed of.

(Rajiv Roy, J)

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