

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6813 of 2025

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Rajeshwar Prasad son of Indrajeet Prasad, resident of Village-Fenahara Gaddi, Post-Dumri Chhapiya, Panchayat Raj-Chhapiya, P.S. and Block-Ishuapur, District-Saran at Chapra-841417.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Department of Co-operative, Government of Bihar, Patna.
3. The Registrar, Co-operative Societies, Bihar, Patna.
4. The District Magistrate cum Election Officer (Co-operative Societies), Saran at Chapra.
5. The Deputy Development Commissioner cum Nodal Officer (Co-operative Societies), Saran at Chapra.
6. The Assistant Registrar Co-operative Societies, Saran at Chapra.
7. The District Co-operative Officer, Saran at Chapra.
8. The Block Development Officer cum Election Officer (Co-operative Societies), Ishuapur, Saran at Chapra.
9. The Block Co-operative Officer, Block-Ishuapur, District-Saran at Chapra.
10. Manikant Prasad, the Chairman, Chhapiya Primary Agricultural Credit Societies Limited, Block-Ishuapur, District-Saran at Chapra.
11. The Manager, Chhapiya Primary Agricultural Credit Societies Limited, Block-Ishuapur, District-Saran at Chapra.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Advocate
	:	Mr. Suresh Prasad, Advocate
For the Respondent/s	:	Mr. Uday Bhan Singh, AC to GP-19

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioner Mr. Jeetendra Narayan and Mr. Uday Bhan Singh, learned AC to GP-19 for the State.

2. The petitioner in the present writ application has prayed for issuance of appropriate writ(s) to the respondents to



cancel the Chairmanship of Chhapiya PACS of Respondent No. 10 who the petitioner contends won the election on the basis of fabricated voter list which was published in collusion with Official Respondents and further for directing the Respondents to cancel the voter list of Chhapiya Panchayat Primary Agriculture Credit Cooperative Society Limited, Block-Ishuapur in the District of Saran alleging that in the said voter list there are several discrepancies which has deprived the petitioner by way of cancellation of his membership application for the said PACS.

3. The learned counsel appearing for the Respondent-State submits that since the election has already been held and Respondent No. 2 has been elected as Chairman of Chhapiya PACS, therefore, the only remedy now available to the petitioner is to challenge the said election by way of filing election petition and that the present writ application may be dismissed giving the petitioner the liberty to file election petition.

4. The law on this issue is very well settled that once an election has been held, the same cannot be challenged in the writ application. It has to be necessarily challenged by filing election petition in accordance with law.



5. The present writ application is, therefore, not maintainable and hence it is dismissed giving liberty to the petitioner to challenge the election by filing the election petition in accordance with law.

6. With the above liberty granted to the petitioner, the present writ application is dismissed.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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