

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8025 of 2022**

1. Prem Shankar Mehrotra Son of Late J.S. Mehrotra Resident of House No.- 4/96 of New Bank Colony No.- 4, Digha, Police Station- Digha, District- Patna.
2. Upendra Kumar Singh Son of Late Kalika Singh Resident of House No.- 4/90 of New Bank Colony Digha, Police Station- Digha, District- Patna.
3. Bipin Bihari Verma Son of Late Maheshwar Prasad Resident of House No.- 4/92 New Bank Colony No.- 4, Digha, Police Station- Digha, District- Patna.
4. Balram Prasad Mishra Son of Late Bhairo Prasad Mishra Resident of House No.- 4/92, New Bank Colony No.- 4, Digha, Police Station- Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Registrar Co-operative Societies, Bihar, Patna.
3. The Deputy Registrar Co-operative Societies, Bihar, Patna.
4. The District Magistrate Patna.
5. Shri Gopal Gobind Prasad, Ex- Secretary of State Bank of India Supervising Staff Housing Co-operative Society Ltd., Resident of 4/80 New State Bank of India Colony, Digha, Police Station- Digha, District- Patna.
6. Shri P.D. Upadhyay, Secretary, State Bank of India Supervising Staff Housing Co-operative Society Ltd., Resident of Colony No.- 5/38 of State Bank of India at Hanuman Nagar, Patna-20, Police Station- Patrakar Nagar, District- Patna.
7. Shri Ram Kumar, President of the State Bank of India Supervising Staff Housing Co-operative Society Ltd., Resident of 4/99 of New Bank Colony, Digha, Police Station- Digha, District- Patna.
8. The State Bank of India, Supervising Staff Housing Co-operative Society Ltd. Through its Secretary Shri P.D. Upadhyay having its registered Office at 3rd and 4th Floor, Bank of Bihar Bank Building, State Bank of India, Regional Managers Office, J.C. Road, Patna, Presently Colony No. 5/38 of State Bank of India at Hanuman Nagar, Kankarbagh, Police Station- Patrakar Nagar, Patna, District- Patna.
9. Patna Municipal Corporation through Municipal Commissioner, Patna.

... .. Respondent/s

**Appearance :**

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|--------------------------|---|------------------------------------------|
| For the Petitioner/s     | : | Mr. Braj Kishore Singh Chouhan, Advocate |
| For the State            | : | Mr. Md. Zeeshan Kalim, AC to SC-20       |
| For the PMC              | : | Mr. Prasoon Sinha, Sr. Advocate          |
|                          |   | Mr. Prabhat Kumar, Advocate              |
| For the Resp. Nos. 6 & 8 | : | Mr. Pankaj Kr. Das, Advocate             |
| For the Resp. No. 7      | : | Mr. Abhay Kumar, Advocate                |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

13    01-08-2025

Heard Mr. Braj Kishore Singh Chouhan, learned



counsel for the petitioner, Mr. Prasoon Sinha, learned Senior Advocate for the Patna Municipal Corporation, Mr. Pankaj Kr. Das representing respondent nos. 6 and 8, Mr. Abhay Kumar representing respondent no. 7 as also Mr. Md Zeeshan Kalim, AC to SC-20.

2. The present petition has been preferred for the following relief(s):

*“for quashing the order dated 19.12.2017/29.12.2017 passed by the Learned Registrar, Co-operative Societies Bihar, Patna in Dispute No.186 of 2011 holding that the dispute does not come within the ambit of section 48 of the Co-operative Societies Act rather he holds that the case relates to encroachment, illegal construction over the land of the State Bank of India Supervising Staff Housing Co-operative Ltd. (hereinafter referred as Society).”*

3. Since there has been cross-objection regarding the maintainability of the case, at the outset, learned counsel for the petitioner, Mr. Chouhan submits that armed with all the supporting documents, he shall be approaching the Registrar Co-operative Societies (respondent no. 2) in four weeks to prove his case/show the irregularities being committed by the State Bank



of India Supervising Staff Housing Co-operative Society Limited.

4. In view of the said limited prayer made by the learned counsel for the petitioner for which there is no objection from the other side, this Court deems it proper to dispose of the writ petition allowing the petitioners to approach the respondent no. 2, The Registrar Cooperative Societies, Bihar, Patna in next four weeks who shall be looking into the matter and after noticing/hearing all the relevant parties, shall be taking a decision at an earliest.

5. This order has been passed in the background of the fact that the petitioners were not party to the earlier litigation before the Registrar, Cooperative Societies and has now come up with some other points which they intend to raise before the concerned authority.

6. It will be open for the Registrar Cooperative Societies to look into all aspect without being prejudiced by any earlier order passed in the matter.

**(Rajiv Roy, J)**

Adnan/-

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