

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9922 of 2025

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1. Manish Kumar, Secretary, Ram Sevak Singh Foundation, Son of Late Ram Vilash Singh, Resident of Village- Baijnathpur House, P.S. Wazirganj, District- Gaya.
 2. Pawan Kumar Son of Suresh Singh, Resident of Village Mirganj, P.S. Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The Chairman, State Election Commission, Bihar, Patna.
4. The Secretary, State Election Commission, Bihar, Patna.
5. The District Magistrate cum District Election Officer, Gaya.
6. The Registrar, Co-operative Societies, Bihar, Patna.
7. The District Cooperative Officer, Gaya.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Praveen Kumar, Advocate
For the State	:	Mr. Amish Kumar, AC to learned A.G.
For the Resp. Nos. 3 & 4:	:	Mr. Girish Pandey, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

5 12-11-2025

Heard learned counsel for the parties.

2. Following is the reliefs, as sought for, in the present writ application:

“(i) For issuance of writ in the nature of certiorari or any other writ/order/direction to set aside office order issued by the Office of Registrar, Co-Operative Societies, Bihar, Patna Vide Memo No. 7477 dated 24.11.09



since the areas notified Under Bihar Municipality Act are Urban in nature, therefore it is in the interest of resident of Rural people, the area Under Nagar Panchayat/Nagar Parisad should not be declared as PACS area.

(ii) For issuance of writ in the nature of Mandamus or any other writ application to respondent to rename the Punawa Primary Agriculture Society Limited, Block Wazirganj as Wazirganj-1 Primary Agriculture Society Limited, Block Wazirganj because resident of Nagar Panchayat, Wazirganj will be able to participate in PACS Election.

(iii) For issuance of writ in the nature of Mandamus or any other appropriate writ/direction to the respondents to abolish, Nagar Panchayat PACS body created in the District of Gaya as well as in the State of Bihar because once the area notified Under Bihar Municipal Act 2007 it seized to be a Rural area, thus creation of Primary Agricultural Credit Society is not proper. The citizen of the Area is paying much more tax applicable in Urban Area.

(iv) For issuance of writ in the nature of certiorari for setting aside registration and Election of Punawa Primary Agriculture Society Limited and Dakhigawn Primary Agriculture Society Limited in the District of



Gaya.

(v) For any other appropriate writ/direction for which the petitioners are otherwise entitle in the eye of law”.

3. The petitioners, by way of the present public interest litigation, have sought to challenge the validity of a notification issued by the State Government as back as in the year 2009 (Annexure-5 to the present writ application). Admittedly, the said notification is being challenged after a lapse of 16 years, during which several elections of urban PACS have already been conducted in pursuance thereof. The impugned notification appears to be in consonance with the provisions of PART IX-A of the Constitution of India, which governs the urban local bodies. It also takes into consideration that certain areas within urban limits are engaged in agricultural activities, and, to address the issues concerning such sections of society, the State Government has formulated specific provisions under said notification.

4. In view of aforesaid, we find no merit in the present application, and the same stands dismissed accordingly.

5. However, if the petitioners are aggrieved by any individual grievance, they may approach the District Cooperative Officer, Gaya (Respondent No. 7) for redressal of



the same in accordance with law.

6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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