

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7495 of 2025

=====

Khadim Hussain S/o Late Nasimuddin, R/o Village Mauna, P.S. Nasriganj, Rohtas, presently working as Chairman Dhanaw PACS, Nasriganj, Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Corporative Department, Government of Bihar, Patna.
2. Additional Chief Secretary cum Principal Secretary Department of Co-operative, Bihar, Patna.
3. The Registrar, Co-operative Society, Bihar, Patna.
4. The Deputy Registrar, Co-operative Society, Bihar, Patna.
5. The District Magistrate, Rohtas at Sasaram.
6. The District Co-operative Officer, Rohtas (Sasaram).
7. The Additional Registrar, PACS, Vikramganj Circle, Vikramganj.
8. Block Co-operative Extension Officer, Nasriganj, Rohtas.
9. Syed Sanjarul Haque S/o Syed Subhan Ahmed, R/o Village Mauna, P.S. Nasriganj, Rohtas, Ex-Chairman Dhanaw PACS, Nasriganj, Rohtas (Sasaram).
10. Arju Khatoon W/o Syed Sanjarul Haque, R/o Village Mauna, P.S. Nasriganj, Rohtas, Ex-Chairman Dhanaw PACS, Nasriganj, Rohtas (Sasaram), presently working as PACS Manager, Dhanaw PACS, Nasriganj (Sasaram).

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Rai
For the Respondent/s : Mr. Swapnil Kumr Singh, A.C. to G.P.-19.

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

2. The learned counsel for the petitioner submits that the present writ application has been filed for grant of following reliefs :-

“That this is an application for issuance of a



writ in the nature of Quo Warranto and/or any other appropriate writ/writs to hold the post held by Respondent No. 10 as PACS Manager, Dhanaw PACS, Nasriganj (Rohtas) namely Arju Khatoon, W/O Syed Sanjarul Haque as illegal, as the very appointment of Respondent No. 10 has been made de horsing the Cooperative Act and Rules made thereunder and particularly the letter bearing no. 6035 dated 14.08.2023, issued under the signature of the Registrar, Cooperative Societies, Bihar, Patna and communicated to all concerned of the Cooperative Officers within the State and further for issuance of a consequential writ in the nature of Mandamus, commanding and directing the Respondents to immediately remove Respondent No. 10 from the post of PACS Manager, Dhanaw PACS as she was appointed by her husband the then Chairman, Baraw PACS against the Act and Rules applicable to the case and to recover the entire money from the Respondent No.10 arising out of the instant illegal transaction and/or may pass such any other order/orders for which the Petitioner may be found legally entitled to.”

3. Learned counsel for the petitioner further submits that for the relief as claimed in the present writ application, the petitioner has already filed representation before the District Magistrate, Rohtas dated 29.03.2025 (Annexure P/7) and the petitioner would be satisfied if an appropriate direction could be issued to the District Magistrate, Rohtas to dispose of the representation filed by the petitioner on merit after given an



opportunity of hearing to the petitioner by passing a reasoned and speaking order.

4. To the aforesaid prayer made by learned counsel for the petitioner, the respondent-State does not have any objection.

5. Considering the formal nature of prayer made by learned counsel for the petitioner, this writ application is disposed of directing the District Magistrate, Rohtas (Sasaram) to dispose of the representation of the petitioner dated 29.03.2025 (Annexure P-7) within four months from the date of production of a copy of this order. While disposing of the representation of the petitioner, the District Magistrate, Rohtas at Sasaram will give an opportunity of hearing to the petitioner and the final order should be a reasoned and speaking order.

6. With the aforesaid observation and direction, this writ application is disposed of.

(Alok Kumar Sinha, J)

sanjeev/-

U			
---	--	--	--

