

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10342 of 2025

=====

Jyot Narayan Mahto son of Asharli Mahto Resident of Village- Harijan Toli,
Ward No.11, Near Shiva Temple, P.O. and P.S.- Murla, District- East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Patna
2. The Bihar State Election Authority through its Advisor, Patna
3. The Registrar, Co-operative Society, Binar at Patna
4. The Collector-cum-District Election Officer, Motihari, East Champaran
5. The Deputy Development Commissioner-cum-Nodal Officer, Motihari
6. The District Co-operative Officer, East Champaran at Motihari
7. The Co-operative Extension Officer, Ramgarhwa, East Champaran
8. The Assistant Registrar, Co-operative Societies, Motihari Block
9. The Block Development Officer-cum-the Election Officer, PACS Election, Ramgarhwa, East Champaran
10. The Block Co-operative Officer, Madhuban, East Champaran
11. Kaushlesh Thakur, the Chairman, Murla PACS, Block- Ramgarhwa District- East Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Amarendra Nath Verma
For the Respondent/s	:	Mr. Nadim Seraj, Government Pleader (05)
		Ms. Shalini, AC to GP-5
For Election Authority	:	Mr. Mukesh Kumar Thakur, Adv

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

5 07-07-2025 Heard learned counsel for the petitioner and learned
counsel for the respondent-State.

2. In the present writ application, the petitioner has
prayed for grant of following reliefs:

*1. That the present application is
being filed for setting aside the order dated
12.06.2025 passed by the Bihar State*



Election Authority, Patna by its Advisor under the approval of its Chief Election Officer only on the ground that the amount of money payable as membership-fee and share-price was paid in and retained by the Head Office and not credited in the PACS account thereby snatching the membership of twenty nine persons including the petitioner with respect to the Primary Agricultural Credit Society (PACS) of Murla within Ramgarhwa block of East Champaran district all of who not only fulfil the eligibility criteria prescribed for the membership but were admittedly members in the year 2014 already as well as were allowed to cast votes & contest elections and found places in 2024 voters' list also prepared by the ninth respondent after hearing the private respondent's objections in detail and after confirming their payment of membership-fee and share amount. The petitioner also prays for grant of all other relief/s he is found entitled to in the glaring facts & circumstances of the instant matter.

3. Subsequently, the petitioner has also filed an interlocutory application bearing I.A. No. 01 of 2025 in which additional prayer has been made for granting stay on the process of election of Mukhiya of Murla PACS of Ramgarhwa block



declared vide notification dated 23.06.2025 (P/5) by the Election Authority, Bihar during the pendency of the writ application.

4. No exceptional circumstance has been carved out by learned counsel for the petitioner for this Court to interfere with the election process which has already been initiated vide notification dated 23.06.2025 issued by the Election Authority, Bihar. This Court would not like to create any obstacle/impediment by interfering in the election process which has already been initiated and is scheduled to be held on 18.07.2025. For these reasons, the interlocutory application cannot be allowed and hence, it is rejected. Consequently, the present writ application is disposed of granting liberty to the petitioner to challenge the election by way of election petition under Section 48 of the Bihar Co-operative Societies Act, 1935.

5. With the aforesaid liberty granted, the present writ application is disposed of.

(Alok Kumar Sinha, J)

kiran/-

U			
---	--	--	--

