

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6296 of 2026

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Jitendra Kumar S/o Jagdev Singh, Resident of village- Mehsouri, Ward No. 02, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Registrar, Co-operative Society, Bihar, Patna.
4. The District Magistrate, Khagariya.
5. The District Co-operative Officer, Khagariya.
6. Mithilesh Kumar, Managing Director, Khagariya, District Central Co-operative Bank Ltd., Khagaria.
7. Akhilesh Kumar Vidyarthi, Chairman, Khagaria, District Central Co-operative Bank Ltd., Khagariya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Adv. Mr. Vijay Kumar, Adv.
For the Respondent/s	:	Mr. Standing Counsel 11
For Khagaria Co-operative Bank	:	Mr. Bindhyachal Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 18-06-2026

Learned Advocate for the respective parties are present.

2. The petitioner, Deputy Chairman of Khagaria District Central Co-operative Bank Ltd has approached this Court seeking a direction upon the respondent authorities especially respondent no. 3, the Registrar Co-operative Societies, Bihar, Patna for taking legal action against respondent nos. 6 and 7 i.e. the Managing Director and Chairman respectively of Khagaria District Co-operative Bank



Ltd. (hereinafter referred to as, “Bank”) for illegally committing/misappropriating the fund of the Bank.

3. Learned Advocate for the petitioner Mr Vijay Kumar submitted that the respondent nos. 7 and 6, while working as a Chairman and Managing Director of the Bank respectively have committed various illegalities and misappropriated the fund of the Bank by misutilizing their position. On the complaint made by the petitioner, the District Magistrate, Khagaria vide Letter No. 1658 dated 13.08.2025 constituted Joint Enquiry Committee of which the In-charge Officer of the banking branch Khagaria was appointed as Chairman.

4. A report was submitted vide Letter No. 2618 dated 26.11.2025 and the Enquiry Committee has found that the respondent nos. 6 and 7 have defrauded the fund of the Bank under different headings. The petitioner has also made complaint before the Joint Registrar, Co-operative Society, Bihar, Patna highlighting the illegalities/misappropriation committed by respondent nos. 6 and 7. In response thereto, the Joint Registrar, Co-operative Society held an enquiry and submitted its report to the Registrar vide Letter No. 1273 dated 24.12.2025, giving finding on different financial illegalities.

5. Despite the two enquiry reports having been



submitted before the Registrar of Co-operative Societies establishing financial illegalities committed by respondent nos. 6 and 7, no action has been taken. It is further contended that the Registrar Co-operative Societies, Bihar, Patna ought to take cognizance of the report submitted by the Joint Registrar, Co-operative Societies but no action has been taken compelling the petitioner to approach before this Court.

6. On the other hand, Mr. Bindyachal Rai, learned Advocate appearing on behalf of respondent no. 7 confronting the aforesaid submissions submitted that the present matter is nothing but only a move to settle the political rivalry. None of the report reveals that the Chairman of the Bank is anyhow found responsible for alleged misappropriation of fund.

7. Learned Advocate for the State also made preliminary objection with regard to the maintainability of the writ petition.

8. Before parting with the case, it would be pertinent to take note of the mandate of Section 48 (a) of the Bihar Co-operative Societies Act, 1935 which empowers the Registrar, Co-operative Bank to adjudicate any dispute amongst the members of the society and, moreover, Section 35 of the Bihar Co-operative Societies Act, 1935 further empowers the Registrar, who may of his own motion and shall, on the request



of the Collector, or on application of a majority of the managing committee, or of not less than one-third of the members, hold an enquiry, or direct some person authorized by him by order in writing in this behalf to hold an enquiry, into the constitution, working and financial condition of a registered society.

9. In view of the efficacious remedy and considering the submissions of the learned Advocate for the rival parties as also the grievance raised herein, this Court does not finds any merit in the present writ petition and/or any reason or occasion to entertain the writ petition. Accordingly, the same stands disposed off.

10. However, it is suffice to observe that if the petitioner shall approach before the Registrar, Co-operative Societies, Bihar, Patna, within a period of four weeks from today, by filing an appropriate petition, he shall consider the same and take appropriate action in accordance with the provisions prescribed under the Bihar Co-Operative Societies Act, 1935, by adhering to the principle of natural justice.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.06.2026
Transmission Date	NA

