

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8694 of 2025**

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Manoj Kumar S/o Kamleshwari Yadav, R/o Vill.-Khaira, Ward No.-8, P.S.-  
Garhia, District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-operative Society, Patna.
2. The Registrar Co-operative Society, Patna.
3. The Joint Registrar Co-operative Society, Saharsa.
4. The Assistant Registrar, Co-operative Society, Saharsa.
5. The District Magistrate, Saharsa.
6. The District Co-operative Officer Saharsa.
7. The Block Development Officer, Sourbazar, Saharsa.
8. The Block Co-operative Prasar (Extension) Officer, Sourbazar, Saharsa.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Suman Kumar Singh, Advocate  
For the Respondent/s : Mr. Standing Counsel (13)

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      05-05-2026                      Heard learned counsel for the petitioner and learned  
counsel for the State.

**Re:- I.A. No. 01 of 2025**

Learned counsel for the petitioner submits that he is  
not pressing this interlocutory application.

2. As such, the present I.A. No. 01 of 2025 stands  
dismissed as not pressed.

**Re:- C.W.J.C. No. 8694 of 2025**

3. Learned counsel for the petitioner submits that the



present writ petition has been filed against the suspension order which is Annexure-P/1 i.e. Letter No. 08 dated 04.01.2025 passed by the Senior Co-operative Society Extension Officer, Sourbazar, Saharsa. Counsel submits that Rule 20 of the Ideal Service Rules framed under section 66 (ख) and 44 क फ(घ) of the बिहार सहकारी सोसाईटी अधिनियम (यथा संशोधित) 1935 (hereinafter referred to as 'Rules of 1935') has not been followed in case of the petitioner.

4. Learned counsel for the State submits that counter affidavit has been filed and in the counter affidavit, the stand has been taken that the petitioner has no protection under Article 311 of the Constitution of India, as he is a Manager in PACS and has been appointed by the Committee upon the Honorarium paid from the own fund of the PACS.

5. It transpires to this Court that the decision imposed by the Administrative Committee is appealable under Rule 22 of the Rules of 1935 before the concerned Divisional Joint Registrar, Co-operative Society within 45 days.

6. In the light of the submissions made, it transpires to this Court that there is a service rule framed for the employees of Primary Agricultural Credit Society (PACS) which is annexed as Annexure-P/2. The suspension order is admittedly Annexure-



P/1.

7. This Court without deciding this issue that whether petitioner has any protection under Article 311 of the Constitution of India or not, directs the petitioner to prefer appeal before the concerned Divisional Joint Registrar, Co-operative Society, Saharsa within 45 days from today along with a copy of this order. The concerned Divisional Joint Registrar, Co-operative Society, Saharsa is directed to pass order on the appeal filed by the petitioner in accordance with the rule framed which is Annexure-P/2 of the writ petition.

8. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

**(Dr. Anshuman, J)**

Divyansh/-

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