

**-IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7503 of 2026**

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1. Anjani Kumar Tiwari S/o Shyam Narayan Tiwari, R/o- village- Semariya, P.S.- Kochas, District- Rohtas.
 2. Vivek Kumar, S/o- Asmuni Shah, R/o- Village- Laheri, P.S.- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-operative Dept., Govt. of Bihar, Patna.
2. The Registrar Co-operative Societies, Patna, Bihar.
3. The Station Election Authority, through the Joint Secretary, Patna, Bihar.
4. The District Magistrate, Rohats, Sasaram.
5. The District Co-operative Officer, Rohats, Sasaram.
6. The Assistant Registrar, Co-operative Society, Rohats, Sasaram.
7. The Block Development Officer, Block- Kochas, Rohtas.
8. The Block Co-operative Officer, Block- Kochas, Rohtas.
9. The Primary Agriculture Credit Co-operative Society (PACS), through its Chairman, Laheri, Rohats.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Adv.
For the Respondent/s : Mr. Government Pleader (4)

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 25-06-2026 Heard learned counsel for the petitioners and

learned counsel appearing for the respondent-State as well

as the Bihar State Election Authority.

2. With the consent of both the parties, this writ

application is being disposed of at the admission stage

itself.

3. The petitioners have preferred this writ



application with the following reliefs;

“(a) For issuance of an appropriate writ, order or direction for quashing the notification dated 17.04.2026, pertaining to Laheri PACS, Kochas Block, whereby and where under the cut-off date has been fixed as 31.03.2026, which is arbitrary, irrational and wholly unwarranted, particularly in view of the fact that, despite directions of this Hon’ble Court and competent authorities, the process of correction of the voter list has not been completed.

(b) For issuance of a writ in the nature of mandamus commanding the respondent authorities to include the names of the petitioners and other similarly situated persons whose applications for membership were rejected by the PACS Chairman, but who had preferred appeals before the Assistant Registrar, Cooperative Societies (ARCS) well before the cut-off date, and whose appeals have already been allowed; however, due to inaction and negligence on the part of the respondent authorities, the membership fees has been deposited after the cut of date, and as such, they are entitled to be included in the voter list of the society.

(c) For issuance of a direction upon the respondent authorities to deposited the membership fees and include the name of Petitioner No.2 along with 72 other members who have already attained the status of deemed registered members in the month of February itself, but whose names will not been included in the voter list, as informed by the respondents, merely on account of non-deposit of membership fee, which itself occurred due to failure of the authorities to pass necessary orders regarding deposit of membership fees within time.



(d) For issuance of a direction upon the respondent authorities to include the name of Petitioner No.1 along with several other persons whose appeals have been allowed and whose membership fees have already been deposited, but whose names is been excluded from the voter list solely on account of the arbitrary fixation of the cut-off date, which is contrary to statutory provisions and settled principles of law.

(e) To any other relief or reliefs for which the Petitioners are found entitled to in the facts and circumstances of the case.”

4. The matter relates to inclusion of names of the petitioners, who are stated to have attained the status of deemed registered members of the PACS, Laheri as according to them, they have deposited the membership fees, in the voter list of PACS electoral roll.

5. Learned counsel for the petitioners, at the very outset, confined his prayer to the extent that this writ application may be disposed of with liberty to file a fresh representation with respect to their claim before the respondent authorities and they may be directed to consider the claim of the petitioners in accordance with law within a reasonable period. It is further submitted that the petitioners have already filed representation with respect to their claim before the concerned authorities despite that their claims have not been addressed as yet.



6. Per Contra, learned counsel for the respondent does not oppose the limited nature of submission advanced by the learned counsel for the petitioners and submits that he has no objection if the petitioners file a fresh representation before the concerned authorities with respect to their claim as raised in this writ application which shall be decided by the respondent authorities within the time fixed by the Court.

7. Taking into consideration the submission put-forth by the learned counsel for the petitioners and taking note of the fact that the representation with respect to the claim of the petitioners is pending consideration before the respondent authority as yet, this Court deems it appropriate to dispose of this writ petition, at this stage, itself directing the petitioners to file a fresh representation, raising all the facts and grounds, as raised in this writ application, with all supporting documents with respect to their claim, annexing all the representations filed earlier, within a period of two weeks from today. If such representation is filed, the concerned respondent shall consider the representation of the petitioner and decide it by passing a reasoned and speaking order, in accordance with law, rules, regulations,



policies and government enforceable orders applicable to the case of the petitioners, more particularly, in terms of Rule 7(i)(e) of the Bihar Co-operative Societies Rules, 1959, as expeditiously as possible, preferably within a period of 60 days from the date of receipt of a copy of order of this Court after affording opportunity of hearing to the petitioners or to their representative.

8. Accordingly, with the aforesaid observation and direction, the writ petition stands disposed of.

9. It is made clear that this Court has not expressed any opinion on the merits of the case.

(Girijish Kumar, J)

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