

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20309 of 2025

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Vauelal Mahto S/o Jageshwar Mahto, Resident of Village- Sonma, P.S.-
Bakari, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Co-operative Department, 2nd Floor, Vikas Bhawan, New Secretariat, Bailey Road, Patna at Patna.
2. The Registrar, Co-operative Societies, 2nd Floor, Vikas Bhawan, New Secretariat, Bailey Road, Patna at Patna.
3. The District Co-operative Officer, Begusarai at Begusarai.
4. The Senior Co-operative Extension Officer, Chhaurhi, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rahul Singh, Advocate Mr. Amar Kumar Singh, Advocate Mr. Chitranjan Kumar, Advocate Ms. Mona Verma, Advocate
For the Respondent/s	:	Government Pleader (6)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 02-07-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. Though the case was listed under the heading ‘For
Orders (On Petitions)’, the writ application itself has been
heard.

3. The petitioner has filed the instant application for
the following relief (s) :-

*“1. (i) For giving direction to Respondent
authority to initiate proceeding against Ex-
Chairman of Sonama Primary Agricultural Credit
Societies namely Md. Majahid Hussain who
illegal constructed M.T. Godown.*



(ii) For giving direction to Respondent authority to initiate recovery proceeding defalcated money which was spent for construction of M.T. Godown by violating term, direction and guideline of department.

(iii) For giving direction to Respondent authorities to give charge of Chairman of Sonama Primary Agricultural Credit Societies.”

4. The grievance of the petitioner who happens to be presently elected Chairman of the Sonama Primary Agricultural Credit Society, Begusarai is that the Ex-Chairman did not handover charge to the petitioner on the petitioner's election and proceeded with the construction of a M.T. Godown from the Government fund of Rs. 60 lacs with the intention to defalcate the said money. It is for this reason that the petitioner has filed the instant writ application for the relief as quoted herein above and by filing I.A. no. 1 of 2026 seeks to add the Ex-Chairman as a party respondent in the main writ application.

5. On perusal of the counter affidavit filed on behalf of the respondent nos. 1, 2, 3 and 4, it transpires that a report with respect to the matter in issue was submitted on 31.10.2025 by the Senior Co-operative Extension Officer, Chhaurahi stating therein the departmental instructions had not been fully complied with. A letter dated 3.11.2025 has been written by the



District Cooperative Officer, Begusarai to the Ex-Chairman to clarify his position and the same is still awaited.

6. The relevant paragraphs of the counter affidavit is reproduced herein below for ready reference :

“15) That it is stated that the Senior Co-operative Extension Officer, Chhaurahi by his report dated 31.10.2025 arrived at the conclusion that the Godown has been constructed, but the departmental instructions have not been fully complied with.

16) That thereafter vide letter no.2659 dated 03.11.2025 the District Co-operative Officer, Begusarai directed the Ex-Chairman of Sonama Primary Agricultural Credit Society that to clarify his position, within three days, point by point on the issues raised in the inquiry report.

Photo copy of the letter no.2659 dated 03.11. 2025 are annexed herewith and marked as Annexure-R/2 Series to this counter affidavit.

17) That the writ petition is manifestly premature, having been filed on 04.12.2025, without awaiting the reply from the Ex-Chairman in response to the letter no.2659 dated 03.11.2025.”

7. In view of the above, in the opinion of the Court, the respondent authorities already having acted upon the complaint and the Ex-Chairman having been asked to submit his



response to the report, in the opinion of the Court, nothing remains to be decided in the writ application.

8. The petitioner may follow up his complaint with the respondent authorities.

9. The application stands disposed of.

(Partha Sarthy, J)

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