

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1000 of 2026

=====

Vivek Shankar Son of Sudhir Kumar Singh, Resident of Village-Ward No. 09
Barka Gaon, Post-Barka Gaon, Police Station-Pakri Dayal, District-East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Cooperative Department,
Government of Bihar, Patna.
2. The Secretary, Vigilance Department, Government of Bihar, Patna.
3. The Joint Registrar, Cooperative Societies, Tirhut Division, Muzaffarpur.
4. The District Cooperative Officer, East Champaran at Motihari.
5. The Barkagaon, Primary Agriculture Credit Society, Barkagaon,
Pakaridhayal through its Manager/Chairman.
6. Shri Rajkumar Paswan, Newly appointed Manager, Barka Gawa PACS,
Village and Post Barkagown, P.S. Pakridayal, Distt. - East Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Sinha, Advocate
For the State	:	Mr. Pratik Kumar, Advocate
For the Vigilance	:	Mr. Anil Singh, Advocate
For the Resp. No.5 & 6	:	Mr. Rakesh Kumar Jha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 18-06-2026

Heard Mr. Shashi Shekhar Sinha, learned Advocate
for the petitioner, Mr. Pratik Kumar, learned Advocate for the
State and Mr. Anil Singh, learned Advocate for the respondent
no. 2. The respondent nos. 5 and 6 are represented through Mr.
Rakesh Kumar Jha, learned Advocate.

2. The petitioner, who is said to have been discharging



the duty of Primary Agricultural Credit Cooperative Society (hereinafter referred to as 'the PACCS'), Manager, Barkagaon, is aggrieved by the letter, as contained in Memo No. 1269 dated 03.12.2025 issued by the Joint Registrar, Cooperative Societies, Muzaffarpur Region, whereby his removal from the aforementioned post and direction for appointment of new PACCS Manager has been approved.

3. The case of the petitioner is that he was duly appointed as Manager of Barkagaon PACCS, but later on, the Chairman of the PACCS in connivance with the Block Cooperative Officer has ousted him from the post of Manager in a most arbitrary and illegal manner. They convened a meeting of the Managing Committee in which majority of the members did not participate; nonetheless, to fulfill the quorum of seven members, the Chairman and the Block Cooperative Officer, Pakridayal forged the signatures of several members of the Managing Committee and finally removed the petitioner from the post of Manager and appointed a new Manager without following the due process.

4. Learned Advocate for the State and the private respondents made a preliminary objection with regard to the maintainability of the writ petition. It is submitted that the order



impugned passed by the Joint Registrar, Cooperative Societies, Tirhut Division, Muzaffarpur is only an administrative order and not an order of affirmance passed by the Managing Committee of the PACCS. Bare reading of the impugned order, it appears that the Joint Registrar, Cooperative Societies, while acknowledging the action of the Managing Committee has made it clear that if the petitioner is aggrieved with the order/decision of the Managing Committee, in such circumstances, there is a provision of appeal before the competent authority. Instead of challenging the order of the Managing Committee, the petitioner has challenged the administrative order of the Joint Registrar of the Cooperative Societies, which is nothing but has been passed in the larger public interest to protect the farmers welfare and ensure the functioning of the Cooperative Societies.

5. A counter affidavit has also been filed on behalf of respondent no. 3, the Joint Registrar, Cooperative Societies. It is categorically stated that faced with an administrative deadlock during the peak procurement season, the answering respondent issued the impugned letter, as contained in Memo No. 1269 dated 31.12.2025, as an administrative measure to ensure the continuity of the society's function. It is submitted that the impugned order did not independently remove the petitioner,



rather it only acknowledged the decision already taken by the Managing Committee in the interest of the public and the farmers. The order further directed the Committee to proceed with the appointment of a Manager as per the guidelines and ensure the smooth operation of paddy procurement under a working arrangement.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and after carefully going through the impugned order, as contained in the Memo No. 1269 dated 03.12.2025, this Court finds that the order under challenge is not an order affirming the removal of the petitioner rather an acknowledgment of the order passed by the Managing Committee in an administrative side. Moreover, the petitioner has been accorded liberty to assail the decision of the Managing Committee by filing a proper appeal before the competent authority.

7. Further if the petitioner had truly any dispute with regard to the affairs of the Managing Committee, he had also the remedy to approach before the Registrar, Cooperative Societies under Section 48 of the Bihar Cooperative Societies Act, 1935, but the petitioner has not availed the remedy.

8. In view of the aforesaid facts, this court does not



find any merit in the writ petition. Accordingly, the same stands dismissed. However, this order shall not come in the way of the petitioner to challenge the decision of the Managing Committee before the appropriate authority in appropriate proceeding, if he so desire.

(Harish Kumar, J)

uday/-

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

