

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.588 of 2015

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Ram Pravesh Singh, Son of Late Radha Singh Resident of Village-
Ghatikan, P.O.- Thanua, P.S.- Shivsagar, District- Rohtas.

.... Petitioner/s

Versus

1. The Sasaram Bhabhua Central Co-operative Bank Ltd. through its Managing Director, Sasaram, Rohtas.
2. The Managing Director, Sasaram Bhabhua Central Co-operative Bank Ltd., Sasaram, Rohtas.
3. The Employee Provident Fund Organization through its Commissioner, Regional Office, Bhavishynidhi Bhawan, R, Block, Road No.6, Bihar, Patna.
4. The Commissioner, Employee Provident Fund Organization, Regional Officer, Bhavishynidhi Bhawan, R, Block, Road No.6, Bihar, Patna.
5. The Assistant Provident Fund Commissioner, Employee Provident Fund Organization, Regional Office, Bhavishynidhi Bhawan, R, Block, Road No.6, Bihar, Patna.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.591 of 2015

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Jai Ram Singh Son of late Ramesh Singh Resident of Village + P.O.-
Rashalpura, P.S.- Doriganj, District- Saran.

.... Petitioner/s

Versus

1. The Sasaram Bhabhua Central Co-operative Bank Ltd. through its Managing Director, Sasaram, Rohtas.
2. The Managing Director, Sasaram Bhabhua Central Co-operative Bank Ltd. Sasaram, Rohtas.
3. The Employee Provident Fund Organization through its Commissioner, Regional Officer, Bhavishynidhi Bhawan, R Block, Road No.6, Bihar, Patna.
4. The Commissioner, Employee Provident Fund Organization, Regional Officer, Bhavishynidhi Bhawan, R, Block, Road No.6, Bihar, Patna.
5. The Assistant Provident Fund Commissioner, Employee Provident Fund Organization, Regional Officer, Bhavishynidhi Bhawan, R, Block, Road

No.6, Bihar, Patna.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.684 of 2015

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Chandeshwar Pandit S/o Late hem Lal Pandit Resident of Village Sikariya,
P.O. Bhewar Sikariya, District Jehanabad.

.... Petitioner/s

Versus

1. The Sasaram Bhabhua Central Co-operative Bank Ltd. through its
Managing Director, Sasaram, Rohtas.
2. The Managing Director, Sasaram Bhabhua Central Co-operative Bank
Ltd., Sasaram, Rohtas.
3. The Employee Provident Fund Organization through its Commissioner,
regional Office, Bhavishyanidhi Bhawan, R. Block, Road No. 6, Bihar,
Patna.
4. The Commissioner, Employee Provident Fund Organization, Regional
Office, Bhavishynidhi Bhawan, R. Block, Road No. 6, Bihar, Patna.
5. The Assistant Provident Fund Commissioner, Employee Provident Fund
Organization, Regional Office, Bhavishynidhi Bhawan, R. Block, Road
No. 6, Bihar, Patna.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.2678 of 2014

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Sheo Kumar Prasad Maurya Son Of Late Prameshwar Mahto Resident Of
Village- Chakrasalpur, P.O. Ranibigha, P.S. Deepnagar, District- Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Registrar, Cooperative Department, Bihar, Patna
3. The Nalanda Central Cooperative Bank, Biharsharif, Nalanda through the
Managing Director, Nalanda Central Co-Operative Bank, Biharsharif,
Nalanda

.... Respondent/s

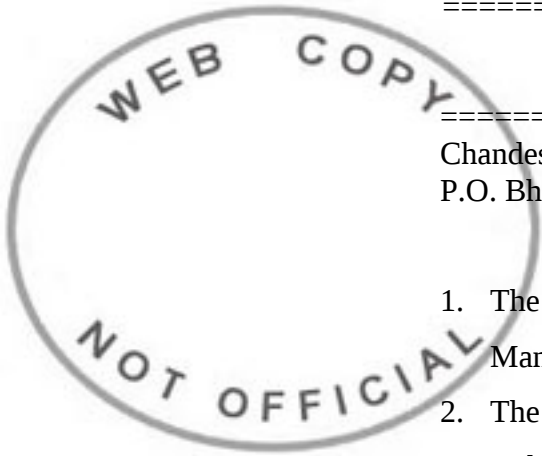
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with

Civil Writ Jurisdiction Case No.8663 of 2014

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Deo Shankar Kumar Kunwar Son of Late Rameshwar Kunwar Resident of



Village- Bagra, P.S.- Jalalpur, District- Saran at Chapra

.... Petitioner/s

Versus

1. The Registrar Co-operative Central Co-operative Bank Limited, Bikash Bhawan, Patna
2. Managing Director, Central Co-operative Bank Limited, Bhagalpur
3. Branch Manager, Central Co-Operative Bank Limited Naugachia, Bhagalpur

.... Respondent/s

Appearance :

(In CWJC No.588 of 2015)

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey, Advocate.
Mr. Prabhat Ranjan Singh, Advocate.
Mr. Ramanuj Tiwari, Advocate.

For the Bank : Mr. Ishwari Singh, Advocate.

(In CWJC No.591 of 2015)

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey, Advocate.
Mr. Prabhat Ranjan Singh, Advocate.
Mr. Ramanuj Tiwari, Advocate.

For the Bank : Mr. Ishwari Singh, Advocate.

(In CWJC No.684 of 2015)

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey, Advocate.
Mr. Prabhat Ranjan Singh, Advocate.
Mr. Ramanuj Tiwari, Advocate.

For the Bank : Mr. Ishwari Singh, Advocate.

(In CWJC No.2678 of 2014)

For the Petitioner/s : Mr. Ramesh Singh, Advocate.

For the Bank : Mr. Sanjay Kumar, Advocate.

(In CWJC No.8663 of 2014)

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate.

For the Respondent/s : Md. N. Hoda Khan, Advocate.

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

10 12-05-2015 Heard learned counsel for the parties in all these five writ applications, which are directed against the Sasaram Bhabhua Central Co-operative Bank Ltd., Central Co-operative Bank Limited and Nalanda Central Co-operative Bank, Nalanda. In all these writ applications, grievances, relating to service conditions

including payment of retirement benefits, have been sought to be pressed by the petitioners.

Learned counsel for the respondents have raised a question of maintainability of the writ applications by citing the case of this Court in the case of ***S. Itrat Hussain vs. Registrar, Co-operative Societies, Bihar, Patna*** reported in ***2001(2) PLJR 253***.

In reply, the learned counsel for the petitioners submit that paragraph-8 of that judgment of ***S. Itrat Hussain*** (supra) should make the case of the petitioner distinguishable.

This Court has carefully gone into paragraph 8 of the judgment of ***S. Itrat Hussain***(supra) and would find that what was held in the case of ***U.P. State Co-operative Land Development Bank Ltd. v. Chandra Bhan Dubey & Ors.*** reported in ***AIR 1999 SC 753*** cannot be made applicable to the facts of the case of the petitioners because the bank of the petitioners was never registered under the provision of the Bank Act of 1964. The bank of the petitioners has been only registered under the provision of Bihar Co-operative Societies Act and, therefore, when this very issue has been settled by this Court in the case of ***S. Itrat Hussain*** (supra), after discussing a number of judgment of the Apex Court as also the Division Bench of this Court, no fresh adventure is required to

be made by this Court on the same issue.

That being so, all these writ applications are held to be not maintainable and are, accordingly, dismissed.

The dismissal of all these writ applications, however, will not come in the way of the petitioners in approaching the Registrar, Co-operative Societies in terms of Section 48 of the Bihar Co-operative Societies Act and in case, the petitioners approach the Registrar of the Co-operative Societies, this Court hopes and believes that the Registrar of the Co-operative Societies shall do needful expeditiously in accordance with law.

(Mihir Kumar Jha, J)

Sujit/-

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