

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 697 of 2009

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Bhubneshwar Thakur, Son of Late Rajeshwar Thakur, Resident of Village- Moglaha, P.O. Misroulia, P.S. Babu Barhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Assistant Director, Bihar Khadi Gramodyog Commission, Office-At +P.O.-Veterinary College- Shekhapura, Patna. 14.
3. Assistant Commissioner, Employees Provident Fund Organization, Sub-Regional Office, New Vakalatkhana, Civil Court Campus, Muzaffarpur.
4. Secretary, Matri Sanstha, Bihar Khadi Gramogyog Sangh, Sarvoday Gram (Kanhauri), Muzaffarpur.
5. President, Madhubani Zilla Khadi Gramoday Sangh, Madhubani.
6. Secretary, Madhubani Zilla Khadi Gramoday Sangh, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. H. K. Thakur, Advocate.

For the Respondents No. 2 : Mr. Dhanendra Chaubey, Advocate.

For the Respondents No. 5 & 6 : Mr. Sunil Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

5 06-08-2015

Heard learned counsel for the parties.

A preliminary objection has been taken on behalf of respondents no. 2 and 4 to 6 that the writ petition is not maintainable in view of the contesting respondents not being 'State' under Article 12 of the Constitution of India. In support of such proposition, learned counsel has produced various orders of co-ordinate Benches of this Court dated 08.04.2009 in C.W.J.C. No. 3396 of 2009; 09.04.2009 in C.W.J.C. No. 4337 of 2003; 28.04.2010 in L.P.A. No. 270 of 2006; 31.07.2009 in C.W.J.C. No. 15143 of 2005 and its analogous cases and 16.09.2011 in C.W.J.C. No.838 of 2007.

Learned counsel for the petitioner is not in a

position to deny that the decision of the Court both by a learned Single Judge or by a Division Bench has held that the writ against the concerned respondents as well as a similarly situated N.G.O, is not maintainable.

In view of the aforesaid, the present application also stands dismissed as being not maintainable.

(Ahsanuddin Amanullah, J.)

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