

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1721 of 2015

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Amitabh Nandan son of Sri Veerchandra Tiwari resident of village -
Narainpur, P.O. Birna Lakhan Sen, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Animal Husbandary Department, Government of Bihar, Patna.
2. Chairman-cum-Managing Director, Bihar State Milk Cooperative Federation Limited, Dairy Development Complex, P.O. Bihar Veterinary College, Patna 800014.
3. Chief Executive Officer Ranchi Dairy, Ranchi.
4. Managing Director, Bihar State Milk Cooperative Federation Limited, Dairy Development Complex, P.O. Bihar Veterinary College, Patna - 800014.
5. Managing Director, Vaishal Patliputra Dugdh Utpadak Sahkari Sangh Limited, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv & Mr. Manish Kumar, Adv

For the Respondent/s : Mr. Ram Balak Mahto (A.G.) & Mr. Rajeev Ranjan Prasad, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 26-02-2015 Heard learned counsel for the parties as with

regard to the following relief prayed in this writ

application:-

"That this writ application is being filed for issuance of appropriate writ, order or direction for quashing the order dated 30th of August 2013(Annexure-4) passed by the Respondent No. 2 and also order dated 1st of September, 2014 (Annexure-5) passed by the Managing Director, Respondent no. 5 pending final hearing of this application the operation of the order as contained in Annexure-4 and 5 may be stayed."

Having regard to the fact that the petitioner in this

writ application has sought aforementioned relief against Bihar State Milk Co-operative Federation (COMFED), which has been held to be not 'State' within the meaning of Article-12 of the Constitution of India in the Full Bench judgment of this Court in the case of **Vidya Bhushan Singh Abhai vs the Bihar State Co-operative Milk Producer's Federation Ltd.**, reported in **2010 (4) PLJR 26**, this Court will have no other option but to hold this writ application to be not maintainable.

It is, accordingly, dismissed.

(Mihir Kumar Jha, J)

Ranjan/-

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