

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12259 of 2015

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Ashok Kumar Singh, son of Sri Kuwar Singh, village + P.O. Gopalpur
Kothi, P.S. Basantpur, District Siwan

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Co-operative Deptt., Bihar
 2. The Siwan Central Co-operative Bank Limited through Secretary
 3. The Branch Manager of Siwan Central Co-operative Bank, Tarwara
- Respondents

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Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh

For the Respondent/s : Mr. Avinash Kumar

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 11-08-2015 Having regard to the fact that neither the Central Co-operative Bank can be held to the State within the meaning of Article 12 of the Constitution of India in view of the judgment of Special Bench in the case of **The Organizer Dehri C.D. & C.M. Union Ltd. Vs. State of Bihar & Ors.** reported in **2014(1) PLJR 695** as also the issue of payment of salary from 2001 to 2011 can not be raised in a writ application filed in the month of June/ July, 2015 in view of the law laid down by the Apex Court in the case of Union of India & ors. vs. Tarsen Singh, reported in (2008)8 SCC 648, this Court must hold this writ application to be wholly ill-advised and misconceived.

When such an observation has been made learned counsel for the petitioner seeks permission to withdraw this application in order to enable the petitioner to move any other appropriate forum.

This application is, accordingly, permitted to be withdrawn with the aforementioned liberty but it is made clear that the petitioner now shall have no liberty to move this Court for the same cause of action.

(Mihir Kumar Jha, J)

surendra/-

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