

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1416 of 2015

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Rajendra Singh, son of Late Daroga Singh, resident of Village - Dayal Ganj, P.S. & P.O. - Rajpur, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Secretary, Co-operative Department, Government of Bihar, Patna.
3. Registrar, Co-operative Societies, Bihar, Patna.
4. District Co-operative Officer, Rohtas at Sasaram.
5. Block Co-operative Officer, Nasriganj Block, District - Rohtas.
6. Sasaram Bhabhua Central Co-operative Bank Ltd. through its Managing Director, Head Office, Sasaram, District - Rohtas.
7. Branch Manager, Sasaram, Bhabhua Central Co-operative Bank Ltd., Nasriganj Branch, District - Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh

For the Respondent/s : Mr. Uma Shankar, GP-4

For the respondent-Bank : Mr. Manish Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 03-07-2015

Counsel for the parties are present.

Mr. Manish Kumar Singh, learned Assisting Counsel to Mr. Ishwari Singh representing the Sasaram Bhabhua Central Cooperative Bank Ltd. (hereinafter referred to as 'the Bank') has raised a preliminary objection with regard to the maintainability of the writ petition on grounds that the petitioner has prayed for issuance of a writ against 'the Bank' for issuance of a no dues certificate and that no writ lies against a cooperative society unless it is superseded and an administrator has been appointed by the State Government.

The objection raised cannot be contested. The

position is admitted and the relief is directed against 'the Bank' which is a cooperative society registered under the Bihar Cooperative Societies Act, 1935, for issuance of a no dues certificate.

Faced with the situation Mr. Jitendra Prasad Singh, learned counsel appearing for the petitioner prays for disposal of the writ petition to enable the petitioner to take recourse to such other remedy as may be available to him in law.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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