

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.383 of 2016

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Birendra Prasad Singh, S/o Late Rash Narayan Singh, R/o Vill- Bisunpura, P.O.- Bisunpura, P.S.- Bihta, District- Patna.

.... Petitioner

Versus

1. The Bihar State Cooperative Marketing Union Ltd. (Biscoman), Patna through its Managing Director.
2. The Chairman, Bihar State Co-operative Marketing Union Ltd (Biscomaun), Patna.
3. The Managing Director, Biscomaun, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ajay Kumar, Advocate

For the respondents : Mr. Rakesh Kumar Jha, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 18-05-2016

Heard parties.

Through this writ application, the petitioner seeks direction for payment of his entire post retiral dues including the difference of salary after revision of the scale along with interest as he claims that he retired on 30.04.2014 from the service of BISCOMAN but nothing has been paid till date.

Per contra, learned counsel for BISCOMAN raises question on the maintainability of the writ application itself. He submits that writ petition itself would not be maintainable against the BISCOMAN, which is a Multi-state Cooperative Society and such issue is no longer *res integra* having considered and decided by a

Special Bench of this Court in the ***Organizer, Dehri C.D. & C.M. Union Ltd. Vs. the State of Bihar and Ors. [2014 (1) PLJR 695]***.

Accordingly, it is held that, in view of such decision, this writ application would not be maintainable and, as such, the same is dismissed.

However, the petitioner would be at liberty to raise his grievance before the competent authority which would be available to him under law.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
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