

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13102 of 2015

Along with

Interlocutory Application No. 8001 of 2015

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Shila Kumari @ Shila Rai, wife of late Sheo Mohan Rai, Resident of village - Rampur, P.O. Rampur, P.S. Rajpur, District – Buxar.

.... Petitioner/s

Versus

1. The Managing Director, Motihari Central Cooperative Bank Limited, Motihari at Bhawatipur Jirat, Bank Road, East Champaran, Motihari
2. The Chairman, Motihari Central Co -Operative Bank Limited, Motihari at Bhawatipur Jirat, Bank Road, East Champaran, Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 03-03-2016

Re.: Interlocutory Application No. 8001 of 2015

Heard learned counsel for the parties.

The present Interlocutory Application has been filed for substituting the sole petitioner with his heirs named in paragraph no. 3 of the application.

Learned counsel for the petitioner submits that the sole petitioner died on 23.08.2015 leaving behind his widow and one son, who may be substituted.

Learned counsel for the respondents does not oppose.

In view of the aforesaid, let the sole petitioner be substituted by persons named in paragraph no. 3 of the Interlocutory Application.

Learned counsel for the petitioner shall make necessary correction in the cause title during the course of the day.

Interlocutory Application No 8001 of 2015 stands disposed off.

Re.: CWJC No. 13102 of 2015

Learned counsel for the respondents has raised a preliminary objection and submits that the writ petition is not maintainable in view of the law laid down by a Special Bench of this Court in the case of ***The Organizer, Dehri C.D. & C.M. Union Ltd. Vs. State of Bihar (Sp. Bench)*** reported in ***2014(1)PLJR 695***.

Faced with this situation, learned counsel for the petitioner submits that he may be permitted to withdraw the writ petition to file an appropriate application before the Registrar, Co-operative Societies, Bihar for the reliefs sought for in the present writ petition.

Accordingly, as prayed for by learned counsel for the petitioner, the writ petition stands disposed off as withdrawn with the liberty aforesaid.

(Ahsanuddin Amanullah, J)

Sujit/-

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