

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12738 of 2013

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Sujit Kumar, S/O Shri Chandeshwar Prasad Singh, Resident of Village-
Erazi Sahwazpur, P.S.- Sadar, P.O.- Harauli, District- Vaishali at Hazipur.
..... Petitioner/s

Versus

1. Vaishali District Central Co-Operative Bank Ltd., Hazipur, Represented through its Managing Director, Vaishali District Central Co-Operative Bank Ltd., Hazipur.
2. The Managing Director, the Vaishali District Central Co-Operative Bank Ltd., Hazipur.
3. The Managing Director, the Bihar State Co-Operative Bank Ltd., Patna
4. The Deputy General Manager, Computerization, the Bihar State Co-Operative Bank Ltd., Patna.

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava, Advocate
For the Respondent/s : Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

6 01-08-2016 Heard the parties.

Although this matter was earlier listed with an office note as to whether the writ petition having been dismissed as against respondent nos.3 and 4 could yet proceed, but this Court in consideration of the fact that the writ petition was directed against a Cooperative Bank required the learned counsel for the parties to address on the issue of maintainability of the writ petition in view of the Special Bench Judgment of this Court since reported in **2014(1) PLJR 695 (The Organizer, Dehri C.D. & C.M.Union Limited Vs. The State of Bihar).**

The matter has thereafter been listed today under the heading 'For Orders' when Mr. Shri Prakash Srivastava,

learned counsel appearing for the petitioner prays for disposal of the writ petition seeking liberty for the petitioner to approach the Registrar, Co-operative Societies in view of his advisory bearing Memo No.4839 dated 4.7.2016 placed on record vide Annexure-12 to the supplementary affidavit filed today.

Mr. Sanjay Kumar, learned counsel appearing for the Co-operative Bank submits that the appropriate authority for the relief prayed by the petitioner is the Board of Directors of the Bank and not the Registrar, Cooperative Societies.

Be that as it may, considering the nature of relief prayed in this writ petition and in view of the Special Bench Judgment of this Court passed in the case of **The Organizer, Dehri C.D. & C.M.Union Limited** (supra), all that this Court would do presently is to give liberty to the petitioner to take recourse to the appropriate remedy that is available to him in law.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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