

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19354 of 2015

=====

Kusum Bihari Lal, Son of Late Jamuna Lal, R/v- Mapatpur, P.O. - Nuwan, P.S. -
Ramgrah, District - Kaimur at Bhabhua.

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Managing Director of Bihar State Co-operative Marketing Union Ltd. (BISCOMAN), Gandhi Maidan, Patna.
3. The Secretary, Bihar State Co-operative Marketing Union Ltd., (BISCOMAN), Gandhi Maidan, Patna.
4. The Assistant P.F. Commissioner (Organization) Employee Provident Fund Organization, R- Block, Patna.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the State : Mr. Ajay Bihari Sinha, SC-19
Mr. Neeraj Raj, AC to SC-19
For the BISCOMAN : Mr. Rakesh Kumar Singh, Advocate

=====

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 31.08.2013 from the service of BISCOMAN but nothing has been paid till date.

Per contra, learned counsel for BISCOMAN raises a 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. 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)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	18.06.2016
Transmission Date	N.A.