

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.42 of 2017

IN

Civil Writ Jurisdiction Case No. 13116 of 2015

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1. Birendra Singh son of Late Sharda Singh, resident of village- Bariyarpur, Akaurah, P.S.- Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Cooperative Department, Patna.
2. The Registrar, Cooperative Societies, Bihar, Patna.
3. Central Cooperative Bank Ltd., Ara through its Managing Director having its office at Tapeswar Bhawan, Mangal Pandey Path, P.O. & P.S.- Ara, District- Bhojpur
4. Managing Director, Central Cooperative Bank Ltd., Ara having its office at Tapeswar Bhawan, Mangal Pandey Path, P.O. & P.S.- Ara.
5. General Manager, Central Cooperative Bank Ltd., Ara having its office at Tapeswar Bhawan, Mangal Pandey Path, P.O. & P.S.- Ara, District- Bhojpur.
6. Rishikesh Tiwari, Chairman, Central Cooperaitve Bank Ltd., Ara.
7. Krishna Kumar Singh, Chairman, Central Cooperaitve Bank Ltd., Ara.
8. Din Dayal Pal, Director, Central Cooperaitve Bank Ltd., Ara.
9. Birendra Prasad, Director, Central Cooperaitve Bank Ltd., Ara.
10. Janardan Rai, Director, Central Cooperaitve Bank Ltd., Ara.
11. Keshav Prasad Singh, Director, Central Cooperaitve Bank Ltd., Ara.
12. Savita Devi, Director, Central Cooperaitve Bank Ltd., Ara.
13. Sushila Devi, Director, Central Cooperaitve Bank Ltd., Ara.
14. Mukul Kumar Sinha, Managing Director, Central Cooperaitve Bank Ltd., Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 09-08-2017

Delay in filing of the review application is condoned and

I.A. No.1030 of 2017 is allowed and disposed of.

Keeping in view the law laid down by the Hon'ble



Supreme Court in the case of Sasi (Dead) Through Legal Representatives vs. Arvindakshan Nair & Ors., (2017) 4 SCC 692 and the principles for review as detailed in para Nos.6 to 9 thereof and evaluating the grounds for review as is indicated in this application, it is seen that the learned Writ Court has decided the matter based on a five Bench Judgment of this Court in the case of Organizer, Dehri (C.D. & C.M.) Union of India Limited vs. State of Bihar & Ors., 2014 (1) P.L.J.R. 965.

The primary ground for review is that this judgment of the five Judges' Bench has been stayed by the Hon'ble Supreme Court and, therefore, the order should be reviewed.

In our considered view, this cannot be a ground for review or recall of the order. That apart, the other grounds raised are with regard to improper consideration of the submissions made by the petitioner or error of law in deciding the question as to whether the society in question is receiving aid or is controlled by the State Government. These are not grounds contemplated in the law laid down by the Hon'ble Supreme Court in the case as indicated hereinabove. That apart, even the order of the Hon'ble Supreme Court of the date on which the order was passed with regard to so called stay granted has not been filed in the petition.

That being so, we see no case for interference into the



order passed.

The application is dismissed.

(Rajendra Menon, CJ)

(Dinesh Kumar Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	19.8.2017
Transmission Date	N/A

