

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17338 of 2016**

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1. Krishna Deo Singh Son of Late Chhedi Singh Resident of Village-  
Proshutampur via Panchgachhya, P.S.- Bihra, District- Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food & Civil Supply  
Dept. Govt of Bihar Patna.  
2. Administrator Bihar State Corporative Marketing Union Limited, Patna.  
3. The Senior Range Officer, Bihar State Corporative Market Union  
Limited Saharsa P.S. & District- Saharsa.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Respondent/s : Mr. S.Raza Ahmad-Aag5

Md. Anisul Haque, AC to AAG 5

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**

**ORAL ORDER**

2      20-07-2017                      Heard Mr. Sharda Nand Mishra, learned Counsel  
  
appearing on behalf of the petitioner and Mr. Vikash Kumar,  
  
learned Counsel appearing on behalf of the BISCOMAUN.

The petitioner being retired employee of the Bihar  
State Cooperative Marketing Union, commonly known as  
'BISCOMAUN' has preferred the present writ application for  
payment of retiral dues.

The learned counsel for the petitioner confines his  
prayer for disposal of the writ application in terms of order dated  
12.05.2016, passed in C.W.J.C. No. 9190 of 2014, Harindra  
Choudhary Vs. The State of Bihar and Ors. which reads as follows  
:-



“On an application being filed by the petitioner with regard to his claims since he is retiree of 2008, the same will be considered and the settlement will be made within a reasonable time frame keeping in mind the chronological order, which is maintained.

Writ stands disposed of.”

Accordingly, without expressing any opinion with regard to maintainability of the writ application against BISCOMAUN, in view of the ratio laid down by Special Bench in the case of The Organized Dehri CD & C.M. Union Limited Vs. The State of Bihar & Ors. 2014(1) PLJR 695 and the fact that earlier writ application on behalf of the petitioner for the same relief being C.W.J.C. No. 9845 of 1996 was dismissed by a Bench of this Court on the ground of delay vide order dated 15.4.1998 as contained in Annexure 4 and the same being affirmed by a Division Bench of this Court vide order dated 28.10.1998 as contained in Annexure 5 passed in LPA No. 527 of 1998, this writ application is disposed of in terms of the above-quoted order dated 12.3.2016 passed in C.W.J.C. No. 9190 of 2014.

**(Dinesh Kumar Singh, J)**

Anil/-

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