

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17471 of 2015

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Sohan Prasad, Son of Late Ramdayal Prasad, Retired Driver, Multi State Co-operative Land Development Bank Ltd. Budh Marg, Patna, resident of Chiraiya Tand, Devi Sthan Gali, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The Multistate Co-operative Land Development Bank Ltd., Budh Marg, Patna through its Chairman.
2. The Chairman, Multistate Co-operative Land Development Bank Ltd., Budh Marg, Patna.
3. The Managing Director, The Multistate Co-operative Land Development Bank Ltd., Budh Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 19-09-2017

Heard learned counsel for the petitioner and the Multistate Co-operative Land Development Bank Ltd. (hereinafter referred to as the 'Bank').

2. The petitioner has moved the Court for the following reliefs:

“That, this writ application is for issuance of a direction to the Respondents to treat the date of birth of petitioner as 12.02.1954 and pay all retiral benefits after calculating the same till the date of retirement i.e. on 28.02.2014.”

3. At the very outset, learned counsel for the respondents submitted that though the writ petition itself is not maintainable in view of there being an elected Managing Committee of the Bank,



which is a Co-operative Society, as per the Special Bench judgment of this Court in the case of **The Organizer, Dehri C.D. & C.M. Union Ltd. vs. State of Bihar (Sp. Bench)** reported as **2014 (1) PLJR (Sp. Bench) 695**, but, since during the pendency of the writ petition, a detailed and reasoned order has been passed by the Managing Director of the Bank on 29.07.2017, the petitioner is now required to move before the appropriate forum against the same.

4. Faced with the situation, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to the petitioner to take steps against the order passed by the Managing Director of the Bank dated 29.07.2017.

5. In view thereof, the writ petition stands disposed off with liberty aforesaid.

6. If the petitioner moves before the appropriate forum in accordance with law, against the order contained in Memo No. 2951 dated 29.07.2017, the same shall be considered and disposed off on merit, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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