

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12919 of 2017

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BARNA PACS, through its Chairman Shri Madan Mohan Tiwary, S/o- Late Ram Singhasan Tiwari, resident of Village- Pakari, P.O.+ P.S.- Rajpur, District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Co-Operative Department, Government of Bihar, Patna.
3. The Registrar, Co-Operative Societies, Government of Bihar, Patna.
4. The District Magistrate, Rohtas, Sasaram.
5. The District Co-Operative Officer, Rohtas, Sasaram.

.... Respondents 1st set.

6. The Sasaram Bhabhua Central Co-operative Bank, Sasaram, Rohtas through its Managing Director.
7. The Managing Director, Sasaram Bhabhua Central Co-operative Bank, Sasaram, Rohtas.
8. The Branch Manager, Sasaram Bhabhua Central Co-operative, Nasriganj Branch, Nasriganj, Rohtas.

.... Respondents 2nd Set.

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Appearance :

For the Petitioner/s : Mr. S.B.K. Mangalam, Advocate
Mr. Ramanuj Tiwary, Advocate

For the Respondent/s : Mr. V. S. S. Singh, GP-19

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 21-11-2017

Learned counsel for the Managing Director, Sasaram Bhabhua Central Co-operative Bank, Sasaram, Rohtas raises a preliminary objection that no writ would lie against the Bank in view



of the Special Bench decision of this Court in the case of **The Organizer, Dehri C.D. & D.M. Union Limited vs. State of Bihar** reported in **2014 (1) PLJR 695**. In this regard, he has placed reliance on a judgment of this Court passed in C.W.J.C. No.7275 of 2016 and analogous cases decided on 23.12.2016.

In view of the issue being settled by a Special Bench of this Court, the writ petition is dismissed as not maintainable.

However, the petitioner would be at liberty to avail all his remedies before the appropriate forum.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.11.2017
Transmission Date	NA

