

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20547 of 2016

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1. Radheshyam Prasad @ Radheshyam Prasad Singh, son of Late Shukar Mahto, resident of Village- Purankama, P.S.- Sheikhpura, District- Sheikhpura, at present Patel Nagar, Girihinda, P.S.+District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar through its the Chief Secretary, Government of Bihar, Patna.
2. The Managing Director, Bihar State Cooperative Land Development Bank Samiti, Patna.
3. The Deputy Managing Director, Bihar State Cooperatives Land Development Bank Samiti, Patna.
4. The Secretary, Bihar State Food and Civil Supplies Corporation Limited, Patna.
5. The District Manager, Bihar State Food Civil and Supplies Corporation Limited, Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Respondent/s : Mr. Rajesh Prasad Choudhary, A.C. to G.A6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGEMENT

2 20-07-2017 Heard Mr. Pramod Kumar learned counsel for the petitioner and Mr. Rajesh Prasad Choudhary learned counsel for the Bihar State Cooperative Land Development Bank and its authorities.

The petitioner seeks a command to the respondent Managing Director of the Bank to accept his joining.

In my opinion, the writ petition is not maintainable for the Bihar State Cooperative Land Development Bank Samiti is neither a State nor an authority within the meaning of Article 12 of the Constitution of India for issuance of a writ in exercise of power



under Article 226 of the Constitution. The issue stands well settled in the Special Bench judgment reported in **2014(1)PLJR695 (the Organizer, Dehri C.D. and C.M. Union Limited Vs. The State of Bihar and Ors).**

The writ petition is accordingly disposed of leaving it open for the petitioner to exhaust the remedy so available to him in law.

(Jyoti Saran, J)

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