

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10235 of 2017

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Sitaram Sah Son of Late Shri Bhaglu Sah, resident of Village & P.O.-
Chichri Kanungo, P.S.- Rajnagar, District- Madhubani, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Scheduled Caste & Scheduled Tribe Welfare Department, Bihar, Patna.
2. Bihar State Scheduled Caste Cooperative Development Corporation Ltd., Bihar, Patna through its Secretary.
3. Managing Director, Bihar State Scheduled Caste Cooperative Development Corporation Ltd., Bihar, Patna
4. Secretary, Bihar State Scheduled Caste Cooperative Development Corporation Ltd., Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava
For the Respondent/s : Mr. Sunil Kr.Mandal,SC-3
For the S.C. Corporation : Mr. Ranjeet Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-04-2018 The learned counsel for the respondents has taken a preliminary objection regarding the maintainability of the present writ petition under Article 226 of the Constitution of India and to the said effect he has relied upon a judgment dated 01.12.2017 passed by this Court in CWJC No. 2513 of 2017.

The learned counsel for the petitioner has gone through the judgment and has submitted that his case may be disposed of in light of the said judgment.

In view of the aforesaid, this Court is of the view that the present case is squarely covered by a judgment dated 01.12.2017



passed in CWJC No. 2513 of 2017 wherein in has been held that a cooperate society is a State under Article 12 of the Constitution of India. The said judgment dated 01.12.2017 has been passed in a case wherein the respondents were the same.

In such view of the matter, this Court cannot take a different view. Accordingly, the present writ petition is dismissed. However, the petitioner shall be at liberty to move the appropriate forum in accordance with law with regard to his grievances and the same shall be decided on its own merit.

(Mohit Kumar Shah, J)

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