

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1705 of 2018

=====

Chandeshwar Panjiyar s/o late Raghunath Panjiyar resident of Maharajganj,
Ward No. 13, PS Madhubani, District Madhubani (Bihar) the proprietor M/s
Sudha Milk Parlour Retailer Code no. 011, Gilesan Bazar, Madhubani.

.... Petitioner

Versus

1. Bihar State Milk Cooperative Federation Limited, Patna through its
Managing Director.
2. Mithila Dugdh Utpadak Sahkari Sangh Limited, Samastipur Industrial Area,
PO Harpur Alowth, Samastipur, PIN 848101 through the Managing Director.
3. The Managing Director, Mithila Dugdh Utpadak Sahkari Sangh Limited,
Samastipur Industrial Area, PO Harpur Alowth, Samastipur, PIN 848101.
4. The Incharge Officer, Darbhanga Dairy Darbhanga, PO Laxmisagar, District
Darbhanga, PIN 846009.
5. The Marketing Incharge, Milk Chilling Center, Madhubani, namely Sri Ram
Udgar Prasad Singh, Santu Nagar, Ward No. 2, Madhubani.
6. Sri Rajesh Kumar Sinha proprietor M/s Sinha Marketing (the distributor)
Aam Gola Road, in front of RWD Office, Bhauara, PS & District Madhubani.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Sanat Kumar Mishra, Advocate.

For the Respondents : Mr. Nikesh Kumar, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-02-2018

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for setting
aside the order dated 06.01.2018 passed by the respondent no. 4
whereunder and whereby the dealership of the petitioner has been
terminated during currency of the contract and the petitioner has been
directed to vacate the Sudha Parlour allotted by the respondent no. 1;
and for connected reliefs.



3. At the very outset, learned counsel for the petitioner makes statement at the Bar that an appeal against the impugned order has already been filed for redressal of his grievances and hence the present writ petition need not be pressed.

4. Learned counsel for the respondents raises a preliminary objection to the effect that the present writ petition itself is not maintainable against the respondent Co-operative Society in view of the decision reported in the case of *The Organizer, Dehri C.D. & C.M. Union Limited vs. The State of Bihar & Ors., 2014(1) PLJR 695.*

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21.02.2018
Transmission Date	N.A.

