

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.164 of 2018

Arising out of

C.W.J.C. No. 336 of 2018

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Smt. Kanchan Kumari, Wife of Jayant Kumar @ Pappu Kumar, resident of Village- Rasalpur, P.S.- Dumra, District- Sitamarhi (Wrongly typed as P.S. Harlakhi District- Madhubani).

... .. Appellant/s

Versus

1. The State of Bihar through the Secretary, Food & Civil Supply Government of Bihar, Patna.
2. The Registrar, Co-operative Department, Government of Bihar, Patna.
3. The Bihar State Food & Civil Supply Corporation Limited through the Managing Director, Sone Bhawan, Vir Chand Patel Path, Patna.
4. The District Magistrate, Sitamarhi, District- Sitamarhi.
5. The District Manager, State Food & Civil Supply Corporation Limited, Sitamarhi, District- Sitamarhi.
6. The Branch Manager, Central Co-operative Bank Limited, Sitamarhi, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Birendra Kumar, Advocate
For the B.S.F.C.	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr. Md. Kamil Akhtar, A.C. to AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 19-02-2018

The learned Writ Court in dismissing the writ petition on account of the fact that the appellant in her individual capacity as a Chairman cannot file the writ petition for recovery of an amount due to the society, has not committed any error. Either the society should itself file the writ petition or should have resolved to file the writ petition authorizing the appellant to do so.



In the absence of neither of these being done, the learned Writ Court has not committed any error in refusing to interfere into the matter at the instance of the appellant who, at best, under law, in the writ petition, was only a private individual.

Accordingly, finding no ground, we dispose of the Letters Patent Appeal.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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