

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6002 of 2018

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Chandra Bhushan Mishra S/o Sri Bhola Mishra R/o Hanuman Mandir LIG,
Sec - 06, Block - 04, Flat No. - 255, Bhootnath Road, B.H. Colony, P.O. +
P.S. - Agamkuan, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Co-operative, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Registrar, Co-operative Societies, New Secretariat, Patna.
4. Bihar State Co-operative Marketing Union Ltd. through its Chairman, Biscomaun Bhawan, Patna.
5. Managing Director, Bihar State Co-operative Marketing Union Ltd., Biscomaun Bhawan, Patna.
6. The Secretary, Bihar State Co-operative Marketing Union Ltd., Biscomaun Bhawan, Patna.
7. Finance Controller, Bihar State Co-operative Marketing Union Ltd., Biscomaun Bhawan, Patna.
8. Account Officer, Bihar State Co-operative Marketing Union Ltd., Biscomaun Bhawan, Patna.
9. Special Officer (Establishment), Bihar State Co-operative Marketing Union Ltd., Biscomaun Bhawan, Patna.
10. Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vishal Saurabh
For the Respondent/s : Mr. Chittranjan Sinha (Paag2)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-12-2018 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar State Co-operative Marketing Union Ltd. (hereinafter referred to as the BISCOMAUN). Learned counsel for the Accountant General, Bihar, Patna is also present.

Learned counsel for the Accountant General submits
that in the present case, the Accountant General has no role to



play, hence his name be expunged.

Considering the nature of order which is to be passed, the name of the Accountant General is expunged.

Petitioner was an employee of the BISCOMAUN seeks payment of salary due since February, 1997 and all his retiral benefits as he retired on 31.05.2013 from the post of Peon from the CCA Depot, Makhdumpur.

Learned counsel for the BISCOMAUN submits that this writ application is not maintainable in view of the order passed by this Court in the case of **Organizer, Dehri C.D. & C.M. Union Limited Vs. The State of Bihar (Special Bench) reported in 2014 (1) PLJR 695**. However, this Court in view of the order passed in C.W.J.C. No. 54 of 2018 dated 26.11.2018 has disposed of similar matter in terms of the order passed in C.W.J.C. No. 9190 of 2014 dated 12.05.2016 (Harindra Chaudhary Vs. State of Bihar & Ors.) which read as follows:-

“On an application being filed by the petitioner with regard to his claims he is retiree of 2008, the same will be considered and the settlement will be made within a reasonable time frame keeping in mind the chronological order, which is maintained.

Writ stands disposed of.”

Without expressing any opinion with regard to



maintainability of the writ application against BISCOMAUN in view of the judgment reported in the case of the Organizer, Dehri C.D. & C.M. Union Limited (supra), the writ application is disposed of in terms of the aforesaid order.

(Nilu Agrawal, J)

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