

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.99 of 2018**

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Md. Shafique Ansari Son of late Hakik Ansari resident of Village- Chauram ,  
P.S. Udwant Nagar and District Bhojpur(Ara) and was posted at senior Range,  
Office, Biscomaun, Patna as Assistant Depot Manager.

... .. Petitioner/s

Versus

1. Bihar State Co Operative Marketing Union Ltd. through its Chairman,  
Biscomaun Bhawan, Patna.
2. The Chairman, Bihar State Co-Operative Marketing Union Ltd. Biscomaun  
Bhawan, Patna.
3. The Managing Director, Bihar State Co-operative Marketing Union Ltd.  
Biscomaun Bhawan, Patna.
4. Chief of Accounts, Bihar State Co-operative Marketing Union Ltd.  
Biscomaun Bhawan, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Mohammed Abu Haidar  
For the Respondent/s : Mr. Vikas Kumar

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      26-11-2018                      Heard learned counsel for the petitioner and learned  
  
counsel appearing on behalf of the Bihar State Co-operative  
  
Marketing Union Limited (hereinafter referred to as  
  
Biscomaun).

Petitioner was posted as Blower Attendent at rice mill  
  
Biscomaun and superannuated on 31.01.2012. Petitioner prays  
  
for post-retiral benefits since he retired from the services of  
  
Biscomaun.

Learned counsel appearing on behalf of Biscomaun  
  
submits that the writ application is not maintainable as special  
  
Bench of this Court in the case of the Organizer, Dehri C.D. &



C.M. Union Limited Vs. The State of Bihar (Special Bench) reported in 2014 (1) PLJR 695 has held that the writ application under Article 226 of the Constitution of India is not maintainable at the first instance against respondent no. 1 and 2.

However, considering the prayer of the petitioner, this writ application is disposed of in terms of the order passed in CWJC No. 17877 of 2016 dated 20.07.2017 in the case of Chandra Kishore Chaudhary Vs. Bihar State Co-operative Marketing Union Limited and others, and the order dated 12.05.2016 passed in CWJC No. 9190/2014 (Harindra Chaudhary Vs. State of Bihar and 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. (Supra), the writ petition is disposed of in terms of the aforesaid order.



(Nilu Agrawal, J)

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