

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 12338 of 2017

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Bhisam Prasad Singh, Son of Late Ramnath Singh, Resident of Village and P.O.-
Rajeyan, P.S.- Piro, District- Bhojpur at Arrah.

.... Petitioner/s

Versus

1. Bihar State Cooperative Land Development Bank through its Chairman, Budha Road, Patna-1.
2. The Managing Director, Bihar State Cooperative Land Development Bank, Budha Road, Patna-1.
3. The Branch Manager, Daudnagar Branch, Land Development Bank, Aurangabad.
4. The State of Bihar through the Principal Secretary, Finance Department Government of Bihar, Patna.
5. The District Provident Fund Officer, Aurangabad.
6. The Accountant General Bihar, Veerchand Patel Path, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 24-08-2018

Heard learned counsel for the petitioner; State; Bihar

State Co-operative Land Development Bank (hereinafter referred to
as the 'Bank') and Accountant General.

2. The petitioner has moved the Court for the following
reliefs:

*“That this is an application for issuance of
appropriate writ, order or direction to the
respondents for payment of all retirement benefits
viz pension, gratuity, leave salary, G.P.F. amount,
Insurance amount and for grant of all
consequential benefits including statutory interest.”*

3. At the very outset, learned counsel for the Bank



submitted that the writ petition is not maintainable in view of the law laid down by the Special Bench of this Court in the case of **The Organizer, Dehri C.D. & C.M. Union Ltd. vs. State of Bihar** reported as **2014(1) PLJR 695**, holding that a Co-operative Society is not amenable to writ jurisdiction.

4. The Court finds the contention to be correct.

5. Accordingly, the writ petition stands disposed off as not maintainable.

6. However, on merits, learned counsel for the Bank submitted that as per the judgment of the Court dated 09.04.2013 in C.W.J.C. No. 14799 of 2012 in the case of **Kamla Prasad Sharma vs. State of Bihar & Ors.**, which has been upheld by the Hon’ble Supreme Court, the Bank is making payment in accordance with that.

7. Thus, it goes without saying that the petitioner shall also be paid his dues in terms of the procedure adopted by the Bank, as per the aforesaid decision.

(Ahsanuddin Amanullah, J.)

P. Kumar

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