

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11481 of 2012

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Sheo Prakash Mandal Son Of Late Kakoi Mandal Resident Of Tahwalpur, P.S.
Lodhipur, District - Bhagalpur

... .. Petitioner/s

Versus

1. The Managing Director, the Bhagalpur Central Co Operative Bank Ltd,
RED Cross Road, Adampur, Bhagalpur.
2. The Manager (Accounts), Bhagalpur Central Co-Operative Bank Ltd. Red
Cross Road, Adampur, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Respondent/s : Mr.Rakesh Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 26-04-2019

Heard learned counsel for the parties.

In the present case, the petitioner is challenging the letter no. 149 dated 28.4.2012 passed by the Managing Director, Bhagalpur Central Co-operative Bank Limited, whereby and whereunder, though the promotion was granted to the petitioner with effect from 1.3.2002 but, deprived of the monetary benefit.

Learned counsel for the petitioner submits that the petitioner is entitled to the monetary benefit but, an objection has been raised that the present writ application is not maintainable in view of the fact that he has not exhausted the alternative remedy as available to the petitioner under Section 48 of the Bihar Society Cooperative Act.



Earlier also, the petitioner had approached this Court directly in C.W.J.C. No. 479 of 2011 and this Court disposed of the same vide order dated 30.6.2011 and the Court had directed for exhausting the alternative remedy. The petitioner approached to the Registrar but, he withdraw the application on the assurance of the Bank. Again the Bank passed the order and the petitioner has directly approached this Court without exhausting the available alternative remedy of approaching to the Registrar.

Accordingly, this writ application is dismissed as not maintainable with a liberty to exhaust the available alternative remedy as provided under Section 48 of the Act.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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