

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19448 of 2019**

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Ram Ishwar Prasad, Son of Late Gobind Ram, Resident of Village and Post-Parthu, P.S. Ekangar Sarai, District- Nalanda- 801301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-operative Department, New Secretariat, Patna.
2. Registrar Cooperative Society, Bihar, Patna.
3. The Managing Director, BISCOMAUN Bhawan, BISCOMAUN Bhawan, Raja Ji Salai, Chajju Bagh, Patna, Bihar 800001.
4. The Regional Provident Fund Commissioner, Patna.
5. The Employees Provident Organization, EPFO Complex, Plot No.23, Behind ACP Office, Sector-23, Dwarka, New Delhi- 110075.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Rajnandan Kumar, Advocate      |
| For the State        | : | Mr. Puspanjali Sharma, AC to SC-20 |
| For the BISCOMAUN    | : | Mr. Vikas Kumar, Advocate          |
| For the EPFO         | : | Mr. (Dr.) B.B. Sinha, Advocate     |
|                      |   | Mr. Ajay Dutt Mishra, Advocate     |
|                      |   | Mr. Amarjeet Chaudhary, Advocate   |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

3      04-11-2019                      When the matter was taken up on 25.10.2019, learned counsel for the BISCOMAUN had raised a preliminary objection over maintainability of this writ application against BISCOMAUN in the light of Special Bench decision of this Court in case of *The Organizer, Dehri C.D. and C.M. Union Limited vs. The State of Bihar and Ors.* reported in **2014(1) PLJR 695**.

Learned counsel appearing on behalf of the petitioner does not dispute the law laid down by the Special Bench in case



of *The Organizer, Dehri C.D. and C.M. Union Limited* (supra) wherein it has been held that BISCOMAUN is not amenable to writ jurisdiction. It also transpires that petitioner had earlier approached this Court seeking similar relief by filing CWJC No. 5141 of 2017 which was disposed of as withdrawn by order dated 19.03.2018. Petitioner's claim relates to payment of salary for the period up to 12.01.2006 when, according to him, he had worked under BISCOMAUN.

The preliminary objection raised on behalf of BISCOMAUN is sustainable. This writ application cannot be entertained and is accordingly dismissed in the light of the law laid down in the aforesaid case. The petitioner shall be at liberty to pursue his remedy before the appropriate forum in accordance with law.

**(Chakradhari Sharan Singh, J)**

Rajesh/-

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