

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.734 of 2018**

**In**  
**Civil Writ Jurisdiction Case No.7131 of 2018**

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The Managing Director, C O M F E D Dairy Development Complex, Near-  
Bihar Veterinary College, P.O.- B.V.C., Patna- 14, District- Patna.

... .. Appellant/s

Versus

1. Harish Kumar Son of Sri Vidya Prasad Rai resident of Mohalla- Anderkila, Ward No. 9, P.O. and P.S.- Hajipur, District- Vaishali, Bihar, PIN 844101.
2. Sandeep Kumar son of Sri Suresh Kumar Sharma resident of Mohalla- Jalalpur, P.O. and P.S.- Sohsarai, Sub Division- Biharsharif, District- Nalanda, Bihar, PIN 803118.
3. Rajeev Kumar Son of Late Vidya Sagar Garaine resident of C/o Anil Kumar, New Kunj Colony, East Bahadurpur, P.O.- Rajendra Nagar, P.S.- Bahadurpur, District- Patna, Bihar.
4. The State of Bihar through Principal Secretary, Animal and Fisheries Resources Department, Govt. of Bihar, Patna-cum- Chairman, COMFED, Bihar.
5. Managing Director, Vaishali Patliputra Dugdha Utpatak Sahkari Sangh Limited, Feeder Balancing Dairy, Phulwarisharif, Patna.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Nikesh Kumar, Adv.  
For the Respondent/s : Mr.

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

3      27-09-2019                      After the matter was heard, we find that the main  
  
ground of challenge in this appeal is that a writ petition would  
  
not be maintainable against a cooperative society.

That being a legal issue, we leave this question of law  
  
open to be considered in any other appropriate case, but in view



of the innocuous nature of the order passed which does not prejudice the case of either side, we see no reason to entertain the appeal at this stage.

The appeal is accordingly consigned.

**(Amreshwar Pratap Sahi, CJ)**

**( Ashutosh Kumar, J)**

K.C.Jha/-

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