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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4612/2019

NEELIMA JAIN

..... Petitioner

Through Mr. Sanjay Kumar, Adv.

versus

JAIN CO-OPERATIVE BANK LTD. AND ANR. Respondents

Through Ms. Sougata Ganguly with Ms.
Seema Kumari, Adv. for R-1
Ms. Avnish Ahlawat, Standing
counsel, GNCTD (Services) with
Mr.N.K. Singh, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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16.05.2019

Today, the present petition is listed for arguments on the question of maintainability.

It is not in dispute that the respondents-Bank has fixed certain bylaws, rules and regulations.

Counsel for the petitioner has relied upon the case of *Ramprasad Dasgupta. v. Nandia District Central Cooperative Bank Ltd* decided on 15.05.2018 in W.P.(C) 31397(W) of 2017. However, the said judgment has been overruled by the judgment rendered in MAT 518 of 2018 dated 09.07.2018.

In the present petition, challenge is the statutory rules of the respondent no.1.

Therefore, the said Bank is not a as 'State' under Article 12 of the

Constitution of India.

Thus, this petition is not maintainable and the same is dismissed by giving the liberty to approach the appropriate Forum, available under the law.

SURESH KUMAR KAIT, J

MAY 16, 2019

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