

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16700 of 2017

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Anil Kumar S/o Late Rama Prasad, R/o Dewan Mohalla- Ramjani Chahara,
Patna City, P.S.- Khajekala and District- Patna.

... .. Petitioner/s

Versus

1. Bihar State Cooperative Marketing Union Ltd. and Ors
2. Managing Director, Bihar State Co Operative Marketing Union Ltd.
Biscomanun Bhawan, Patna.
3. Chief of Accounts, Bihar State Co Operative Marketing Union Ltd.,
Biscomanun Bhawan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mohammed Abu Haidar
For the Respondent/s : Mr. Ashis Giri

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-06-2020 Heard both sides.

The petitioner had earlier filed CWJC No. 13923 of 2013 for the same relief and the writ petition was dismissed vide order dated 30.11.2015 holding that in view of law laid down by the Special Bench of this court in the case of Organizer, Dehri C.D. & C.M. Union Ltd. v. the State of Bihar reported in 2014 (1) PLJR 695 writ petition is not maintainable. The petitioner against the order passed in CWJC No. 13923 of 2013 preferred LPA No. 837 of 2016 and a division bench of this court vide order dated 19.06.2017 disposed of the Letters Patent Appeal holding that there is no illegality in the order. The petitioner again filed the present writ petition relying on the order of the



Apex Court dated 15.09.2014 passed in SLP (C) No. 13717 of 2014 by which the order of Special Bench was stayed. It is submitted that since the earlier writ petition of the petitioner was held to be not maintainable in view of law laid down by the Special Bench of this court in the case of Organizer, Dehri C.D. & C.M. Union Ltd. v. the State of Bihar (supra) the petitioner again filed this writ petition but the order of this court passed in earlier writ petition (CWJC No. 13923/ 2013) and in the LPA (LPA No. 837 of 2016) have not been challenged in the Apex Court, I find that this writ petition is not maintainable until the SLP is disposed of by the Apex Court.

This writ petition is, accordingly, dismissed as not maintainable.

(Prabhat Kumar Jha, J)

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