

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10079 of 2018

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Rajiv Ranjan, S/o Late Sukhdeo Lal Srivastava, resident of Mohalla Anaith,
Ara, P.S. Nawada, District - Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Co-operation, Govt. of Bihar, Patna, Vikas Bhawan, New Secretariat, Patna.
2. The Registrar, Co-operative Societies, Bihar, Vikas Bhawan, New Secretariat, Patna
3. Deputy Registrar, Co-operative Societies (Judicial), Bihar, Vikas Bhawan, New Secretariat, Patna
4. The District Officer-cum-the then Administrator, Central Co-operative Bank Ltd. Ara, Distt. Bhojpur
5. The Central Co-operative Bank Ltd. Ara through Its Managing Director, District- Bhojpur.
6. The Chairman, Central Co-operative Bank Ltd., Ara, District- Bhojpur
7. The Managing Director, Central Co-operative Bank Ltd., Ara, District- Bhojpur

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.
For the State	:	Mr. Mahtab Alam, A.C. to S.C.-20
For the Bank	:	Mr. Bindhyachal Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

10 28-01-2021

No one appears for the petitioner.

On perusal of the entire ordersheets of this case it appears that as back as on 18.12.2018 learned counsel for the petitioner was called upon to answer the preliminary question raised on behalf of the Co-operative Bank on the point of maintainability. Thereafter, this matter was taken up on 01.06.2020, 09.06.2020, 24.08.2020 but on all these dates no one appeared for the petitioner. On 25.08.2020, Mr. Raghunath



Singh, learned counsel for the petitioner joined the proceeding and informed this Court that one Mr. Ram Krishna Singh, learned Advocate shall argue the matter.

This Court requested the learned counsel to satisfy on the maintainability of the writ application in view of the Hon'ble Special Bench judgment in the case of **The Organizer, Dehri C.D. & C.M. Union Ltd. Vs. State of Bihar** reported in **2014 (1) PLJR 695** which has been followed by learned co-ordinate Bench of this Court in CWJC No. 8279 of 2018. This Court made it clear that the matter being pending since 18.05.2018, if no one will join the proceeding on behalf of the petitioner on the next date, the matter shall be taken up for consideration on the basis of the materials available on the record.

The next date fixed in the matter was 14.09.2020, no one appeared on behalf of the petitioner, still this Court adjourned the matter. On 07.01.2021 on the prayer of learned counsel for the petitioner, the matter was adjourned for 21.01.2021. Today, once again no one has appeared on behalf of the petitioner.

Learned counsel for the State as well as learned counsel for the respondent nos. 5, 6 and 7 are present.



To this Court, it appears that further adjournment will be wastage of judicial time. Though indulgence has been given to the petitioner but learned counsel for the petitioner has not shown interest in answering the questions of maintainability of the present writ application.

Annexure '8' to the writ application shows that the petitioner was pursuing his remedy earlier before the Deputy Registrar (Judicial), Co-operative Societies, Bihar, Patna. There being no response on call, considering the fact that there is an issue as to the maintainability of the writ application and the same is covered by the Hon'ble Special Bench judgment of this Court, this Court deems it just and proper to dismiss the writ application.

It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

