

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5151 of 2019

In
Letters Patent Appeal No.926 of 2008

=====

The Chairman/President, National Co-Operative Consumers Federation of India Limited, through the Branch Manager, Rajesh Kumar.

... .. Petitioner/s

Versus

Bibhuti Bhushan Saha, S/o Sri Manoranjan Saha Resident of 16B, Rajendra Maninda Road, Pik Para, Kolkata (West Bengal).

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar, Advocate
		Mr.Alok Kumar @ Alok Kr Shahi, Advocate
For the Opposite Party/s	:	Mr.Dhananjay Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

3 07-04-2021 Heard learned counsel for the petitioner and learned counsel for the respondent.

In the present case, the petitioner-appellant is intending to modify the order dated 07-07-2011 passed in L.P.A No. 926 of 2008 by which the Court has given a direction to initiate a proceeding from the stage of second show cause and to take a decision accordingly, that was challenged before the Hon'ble Supreme Court in Civil Appeal No. 1918-1919 of 2012 where the same was dismissed as withdrawn without liberty to renew prayer or modify the order of this Court.

Counsel for the petitioner-appellant submits that the



petitioner-appellant was granted four weeks time to pass final order, but due to pendency of the Civil Appeal before the Hon'ble Supreme Court, the petitioner-appellant could not pass final order in view of the direction of this Court and further he has drawn the attention of this Court upon the statement made in paragraph 7 on-wards about the stage of the second show cause.

As there is no need to modify the order in view of the fact that it is not mandatory, but it is directive in nature, in such, view of the matter, the petitioner-appellant is permitted to withdraw this application.

Accordingly, this application is dismissed as withdrawn.

(Shivaji Pandey, J)

(Partha Sarthy, J)

V.K.Pandey/-

U			
---	--	--	--

