

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18303 of 2018

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Nawal Kishor Kumar Son of Late Baleshwar Singh Resident of Mohalla -
Pashmi Gandhi Maidan Magadh Niketan, P.S. Jehanabad District Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. Bihar State Co-operative Marketing Union Ltd. through its Managing Director, Bihar, Patna.
3. The Managing Director, Bihar State Co-operative Marketing Union Ltd, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the Respondent/s	:	Mr. Shobha Choubey, (AC to GP 19)
For the BISCOMAUN	:	Mr. Ashish Giri, Advocate
		Mr. Sumit Kumar Jha, Advocate
		Mr. Riya Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 16-11-2022

Heard Mr. Sanjeev Kumar, learned counsel appearing on behalf of
the petitioner and Mr. Ashish Giri, on behalf of the BISCOMAUN.

Learned counsel for the State is also present.

At the outset, learned counsel for the BISCOMAUN raises
preliminary objection with regard to maintainability of the writ application.

In view of the judgment rendered by the Special Bench of this
Court, in the case of “Organiser Dehri CD & CM Union Vs. State of Bihar &
Ors.” reported in 2014 (1) PLJR 695, whereby, learned Special Bench held
that the writ is not maintainable against the co-operative societies even if it
runs by an administrator, who might be a Government servant, in case of non-
existence of managing committee.

At this stage, learned counsel for the petitioner seeks permission
to withdraw this writ application, with a liberty to assail other remedies.



In view of the prayer made on behalf of the petitioner, the present writ application stands disposed of, with the aforesaid liberty.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.11.2022.
Transmission Date	NA

