

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.454 of 2019

In
Civil Writ Jurisdiction Case No.1635 of 2017

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Damodar Singh Son of Late Bhikhar Singh Resident of Village and Post-
Fakuli, Southern Tola, Near Naini village, P.S.-Chapra Muffasil, District-
Saran at Chapra Pin-841301, State-Bihar

... .. Appellant/s

Versus

1. The Union of India through the Principal Secretary Department of the Union of India, through the Principal Secretary Department of Agriculture and Marketing. Govt. of India, Room No.-120, Krishi Bhawan, New Delhi-110001.
2. The Managing Director, National Agriculture Cooperative Marketing Federation of India Ltd. (NAFED) Head office NAFED House, Sidharth Enclave, Ring Road, Ashram Chowk, New Delhi 110014
3. The Branch Manager National Agriculture Cooperative Marketing Federation of India Ltd. (NAFED), Abdul Hamid Street, 2nd Floor, Kolkata-700069

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Damodar Singh (In Person)

For the Respondent/s : Mr. S.D. Sanjay (Addl. Solicitor General)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 20-02-2023

The appellant has been heard in person.

This writ petition has been preferred by the
petitioner, seeking direction to the respondents to make



payment of pension to him with 18% interests as nothing has been paid to him uptil now.

The writ petition was dismissed on the preliminary objection of respondent no. 3 that NAFED (National Agricultural Co-operative Marketing Federation of India), is a co-operative organization, which does not fall in the category of "State" as defined under Article 12 of the Constitution of India.

The appellant has not been able to demonstrate before us regarding the instrumentality or the agency of the State or its stake in the co-operative federation. Otherwise also, we have examined the merits of the case of the petitioner.

The averments made in the writ petition are too vague to be decided in a petition under Article 226 of the Constitution of India. For this reason, we are constrained to observe that no interference is required to be made in the order passed by the learned Single Judge on 16.02.2019 in C.W.J.C. No. 1635 of 2017.



However, it would be open for the appellant to approach the co-operative federation or any appropriate forum for the needful, in case so deemed necessary.

The appeal stands disposed of accordingly.

(Ashutosh Kumar, J)

(Harish Kumar, J)

shivank/sunil-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

