

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6124 of 2018

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Ram Balak Pandit S/o- Late Amrit Pandit, resident of Mohalla- Shiv Nagar
Colony, West Central Jail, Beur, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Bihar State Co-operative Marketing Union Limited BISCOMAUN,
West Gandhi Maidan, Patna through
3. The Managing Director, BISCOMAUN, West Gandhi Maidan, Patna.
4. The Board of Director, BISCOMAUN, West Gandhi Maidan, Patna.
5. The Secretary, BISCOMAUN, West Gandhi Maidan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None.
For the Respondent/s : Mr. Chittranjan Sinha, PAAG 2

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 27-09-2023 On call, no one appears on behalf of the petitioner

although learned Counsel for the State and Biscomaun is

present.

2. The present petition has been filed for the following
reliefs:-

*(i) for issuance of a writ in the nature of
certiorari for quashing the order contained in memo no.
982 dated 10.06.2008 issued by the respondent no. 3
whereby and where-under the petitioner has been made*



superannuated at the age of 58 instead of age 60 years in violation of order contained under agenda no. 6 of meeting of Board of Directors dated 02.11.2007 as the aforesaid decision taken in the light of decision of the state government dated 15.05.2006 enhancing the age of superannuation from 58 years to 60 years.

(ii) for issuance a writ in the nature of Mandamus for direction to the respondent no. 3 to count the service of pre-mature period of retirement of the petitioner in the light of decision of the Board of Directors contained under agenda no. 6 of its meeting dated 02.11.2007 and pay the salary of premature period of retirement and also pay all the consequential benefits as the petitioner has prematurely made retire in violation of the decision of the Board of Directors dated 02.11.2007.

3. Learned Counsel appearing for the Biscouman submits that the writ petition is not maintainable in view of the Special Bench judgment in the case of **Organizer, Dehri C.D. and C.M. Union Limited vs. The State of Bihar** reported in **2014(1) PLJR 695**.

4. Be that as it may, since no one has appeared for the



petitioner, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

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