

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.714 of 2021

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Shyamanand Jha S/o Late Gungeshwar Jha Resident of Babu Sahib Colony,
Lahariya Sarai, P.S. Bahadurpur, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Cooperative, Patna, Bihar.
2. The Registrar, Cooperative Society, Bihar, Patna.
3. The Joint Registrar, Cooperative Societies, Darbhanga Division, District- Darbhanga.
4. The Assistant Registrar, Cooperative Societies, Circle- Darbhanga, District- Darbhanga.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Mohan Mishra, Adv. with
	:	Mr. Prasoon Kumar, Adv.
For the Respondent/s	:	Mr. Lalit Kishore (Ag)
For the State/s	:	Mr. Rajeev Shekhar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

8 16-01-2023 Learned counsel for the petitioner and counsel for the State present.

The present writ petition has been filed for payment of provident fund, the due amount on account of ICDP, gratuity, leave encashment, ACP and other retiral benefits after quashing and setting aside order passed by registrar cooperative in Memo no. 8603 dated 09.09.2019. Counsel for the petitioner submits that during pendency of the writ petition, he has challenged the same order contained in Memo No. 8603 of 09.09.2019 before the appellate authority under the statute being the Appeal Case

No. 06 of 2021 which was finally decided on 27.07.2022.
Counsel for the petitioner has filed an I.A. petition challenging the appellate order in the same writ petition in which he has challenged the original order.

Counsel for the State raised objection that writ petition has already become infructuous and as such the writ is not maintainable. Counsel for the petitioner seeks permission to withdraw the writ petition with liberty to challenge the order dated 27.07.2022 passed in Appeal Case no. 06 of 2021.

In the light of the above said submissions, this writ application is dismissed as withdrawn with the liberty aforesaid.

(Dr. Anshuman, J.)

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