

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16843 of 2022

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Dharmendra Kumar Son of Late Rajbanshi Rai, resident of Mohalla - Rukanpura, Police Station - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Animal Husbandry and Fisheries Development, Bihar, Patna.
2. The Bihar State Co-operative Milk Production Federation through its Managing Director, BV College Campus, Patna.
3. The General Manager, Bihar State Co-operative Milk Production Federation, BV College Campus, Patna.
4. The Manager (Marketing) Patna Dairy Project Phulwarisharif, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Adv.
For Patna Dairy	:	Mr. Bindhayachal Rai, Adv.
For the Respondent/s	:	Mr. Navnit Kumar, AC to GP 18

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

- 5 05-12-2023 Learned counsel for the respondents has stated that the present writ petition is not maintainable as a respondent authority is the Cooperative Society and is not State within the meaning of Article 12 of the Constitution of India. Learned counsel has relied on the judgment of the Full Bench in *Vidya Bhushan Singh Abhai vs. the Bihar State Co-operative Milk Producer's Federation Ltd.*, reported in *2010 (4) PLJR 26*. Further, it is stated learned counsel for the respondent that the petitioner has an alternative and efficacious remedy of filing a dispute under Section 48 of the Bihar Co-operative Societies Act, 1935.



2. Having regard to the above made judgment and law laid down by Full Bench of this Hon'ble Court, the present writ petition is disposed off granting liberty to the petitioner to approach the authority concerned under Section 48 Bihar Co-operative Societies Act, 1935 seeking redressal of his grievance within a period of four weeks from the date of receipt of a copy of this order. On such dispute being raised, the authority concerned shall pass necessary orders strictly in accordance with law duly granting an opportunity of hearing to the petitioner as expeditiously as possible preferably within a period of eight weeks thereof. Any order passed shall be communicated to the parties.

3. With the above direction, the present writ petition stands disposed off.

(A. Abhishek Reddy, J)

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