

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13990 of 2021

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Ravindra Nath Pathak Son of Late Rajeshwari Nath Pathak Resident of
Mohallah- Pathaktoli Sherghati, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Cooperative Department,
Government of Bihar, Patna.
2. Magadh Cooperative Bank Through its Managing Director, Gaya, P.S.- Gaya
Town, District- Gaya.
3. The Managing Director Magadh Cooperative Bank, Gaya, P.S.- Gaya Town,
District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Advocate
For the Respondent/s : Mr. Syed Iqbal Ahmad, SC-20

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

3 19-04-2024 Heard Mr. Sanjeev Kumar Mishra, learned counsel for

the petitioner and Mr. Syed Iqbal Ahmad, learned counsel for

the respondents.

2. The petitioner who was a clerk in the Central Co-
operative Bank, Sherghati Branch, Gaya, retired on 31.08.2017
while working as Incharge Branch Manager has filed this writ
petition seeking a direction to the respondents for payment of
post retiral benefits to the petitioner including provident fund,
gratuity, leave encashment and group insurance etc.

3. Learned counsel for the bank representing
respondent Nos. 2 and 3 has submitted that the petitioner has a
remedy under Section 48 of the Bihar Co-operative Societies



Act, 1935 for which the petitioner has already approached the Registrar of the Bihar Co-operative Society, Patna by filing Misc. Case No. 37 of 2021 under Section 48 of the Bihar Co-operative Societies Act, 1935.

4. Learned counsel for the petitioner, however, submits that though the Misc. Case No. 37 of 2021 was filed before the Registrar, Bihar Co-operative Society, Patna in the year 2021, it has not been considered and disposed of by the Registrar, Bihar Co-operative Society, Patna, till date.

5. Under the circumstances, learned counsels appearing for the parties submit that this writ petition may be disposed of with a direction to the Registrar, Bihar Co-operative Society, Patna to dispose of the Misc. Case No. 37 of 2021 filed by the petitioner within a specified time frame.

6. The arguments advanced by the learned counsels for the parties appears to be fair and reasonable. Accordingly, since the Registrar, Bihar Co-operative Society, Patna has not been made a party respondent herein, the Registrar, Bihar Co-operative Society, New Secretariat, Bailey Road, Patna is hereby impleaded as respondent No. 4, who shall dispose of the Misc. Case No. 37 of 2021, filed by the petitioner under Section 48 of the Bihar Co-operative Societies Act, 1935 in accordance with



law, as expeditiously as possible and in any case not later than two months from the date of receipt of the order of this Court.

7. This writ petition is disposed of with the direction to the Registrar, Bihar Co-operative Society, Patna.

(Nani Tagia, J)

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