

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14161 of 2022

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Ram Jee Singh, Son of Late Roshan Prasad Singh, resident of Village -
Bachari, P.S. Sandesh, District - Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The Bihar State Co-operative Marketing Union Ltd. (BISCOMAUN) through its Chairman.
2. The Chairman, BISCOMAUN, Patna.
3. The Secretary, BISCOMAUN, Patna.
4. The Managing Director, BISCOMAUN, Patna.
5. The Senior Regional Officer, BISCOMAUN, Patna.
6. The Administrator, BISCOMAUN, Patna.
7. The Chief Executive Officer (Provident Fund), BISCOMAUN, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranvijay Singh, Adv.
For the Respondent/s : Mr. Ashish Giri, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 01-07-2024 Heard Mr. Ranvijay Singh, learned counsel for the

petitioner and Mr. Ashish Giri, learned counsel for the

BISCOUMAN.

2. A preliminary objection has been raised with regard to the maintainability of the writ petition in view of the various judgments rendered by the learned co-ordinate Benches of this Court as well as the learned Division Bench in L.P.A. No. 983 of 2023, the copies of which have been placed on record.

3. It is the contention of the learned counsel for the respondents that the BISCOUMAN being not a 'State' under



Article 12 of the Constitution of India apart from the fact that it does not discharge public function, in no circumstances, the present writ petition is maintainable.

4. Though the learned counsel for the petitioner submitted that in various cases, the Court has allowed the employees of the BISCOUMAN to represent before the concerned authorities with a direction to them to consider the claim of the employees and ensure payment; thus the present writ petition may be disposed of in similar terms.

5. Considering the rival submissions and taking note of the judgment passed in L.P.A. No. 983 of 2023, wherein the learned Division Bench taking reliance of Special Bench judgment in *Organizer, Dehri C.D. and C.M. Union Limited Vs. State of Bihar & Ors.* reported in *2014 (1) PLJR 695* found there can be no writ against the co-operative society; this Court finds absolutely no reason to entertain the present writ petition.

6. At this juncture, learned counsel for the petitioner seeks permission to withdraw the writ petition with a liberty to approach the appropriate authority.

7. In view thereof, the writ petition stands dismissed with the liberty aforesaid.

(Harish Kumar, J)

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