

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14902 of 2023

Geeta Kumari Gupta Wife of Late Sushil Kumar Gupta, Resident of
Chitkohra Nahar, Vishnupuri, P.S.- Gardanibagh, Distt.- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Co-operative Department, Govt. of Bihar, Patna.
2. Registrar, Co-operative Society, Bihar, Patna.
3. M/s Nesh India Infrastructure Pvt. Ltd., through its C.M.D., Gate No.2, Tiruvantpuram City, Vijay Singh Yadav Path, Danapur- Khagaul Path, P.S.- Danapur, Distt.- Patna.
4. Shashi Bhushan Sinha @ Dinesh Yadav, Managing Director of M/s Nesh India Infrastructure Pvt. Ltd., 501, Laxmi Hari Niwas, Kavi Raman Path, Nageshwar Colony, P.S.- Buddha Colony, Patna.
5. Vidyut Nagar Sahkari Grih Nirman Samiti Ltd., through its Secretary office at Vidyut Board Colony, Q. No. CAB E/1, New Punaichak, P.S.- Shastrinagar, Distt.- Patna.
6. Murli Manohar Prasad, S/o Late Balmukund Lal, the Secretary of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, R/o Vidyut Board Colony, Q. No. CAB E/1, New Punaichak, P.S. Shastrinagar, Distt.- Patna presently residing at Flat No.202, Mala Apartment, Behind Sona Medical Hall, West Patel Nagar, P.S.- Shastrinagar, Distt.- Patna.
7. Dinesh Chandra Verma, S/o Late Jamuna Prasad, present the President of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, resident of Patel Nagar, Gandhi Murti, Road No.5, Flat No.- 202, Chandra Tara Apartment, P.S.- Shastrinagar, Distt.- Patna, And presently residing at Ganga Path, West Patel Nagar, Shastrinagar, P.S. Shashttrinagar, Distt. Patna.
8. Bidya Nand Mishra, S/o Late Nand Gopal Mishra, present the Vice President of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, resident of Patel Nagar, Flat No.- 201, Mala Apartment, Behind of Sona Medical Hall, P.S.- Shastrinagar, Distt.-Patna And presently residing at Vidyut Nagar, East of Holy Mission School, Vijay Singh Yadav Path, Khagoul, P.S.- Khagoul, Distt.- Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14904 of 2023

Poonam Sinha @ Punam Sinha Wife of Binod Prakash Chandrama, resident of Flat No. F1/303, Tiruvantpuram City, Vijay Singh Yadav Path, Danapur-Khagol Path, P.S.-Danapur, Distt.-Patna.

... .. Petitioner/s

Versus



1. The State of Bihar through the Secretary, Co-operative Department, Govt. of Bihar, Patna.
2. Registrar, Co-operative Society, Bihar, Patna.
3. M/s Nesh India Infrastructure Pvt. Ltd., through its C.M.D., Gate No. 2, Tiruvantpuram City, Vijay Singh Yadav Path, Danapur-Khagaul Path, P.S.-Danapur, Distt.-Patna.
4. Shashi Bhushan Singh @ Dinesh Yadav, Director of M/S Nesh India Infrastructure Pvt. Ltd., 501, Laxmi Hari Niwas, Kavi Raman Path, Nageshwar Colony, P.S.-Buddha Colony, Patna.
5. Vidyut Nagar Sahkari Grih Nirman Samiti Ltd. through its Secretary office at Vidyut Board Colony, Q. No. CAG E/1, New Punaichak, P.S.-Shastrinagar, Distt.-Patna.
6. Murli Manohar Prasad, S/o Late Balmukund Lal, the Secretary of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, R/o Vidyut Board Colony, Q. No. CAG E/1, New Punaichak, P.S.-Shastrinagar, Distt.-Patna and presently residing at Flat No. 202, Mala Apartment, Behind Sona Medical Hall, West Patel Nagar, P.S.-Shastrinagar, Distt.-Patna.
7. Dinesh Chandra Verma, S/o Late Jamuna Prasad, present the President of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd. Patna, resident of Patel Nagar, Gandhi Murti, Road No. 5, Flat No. 202, Chandra Tara Apartment, P.S.-Shastrinagar, Distt.-Patna, and presently residing at Ganga Path, West Patel Nagar, Shastrinagar, P.S.-Shastrinagar, Distt.-Patna.
8. Bidya Nand Mishra, S/o Late Nand Gopal Mishra, present the Vice President of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd. Patna, resident of Patel Nagar, Flat No. 201, Mala Apartment, Behind of Sona Medical Hall, P.S.-Shastrinagar, Distt.-Patna, and presently residing at Vidyut Nagar, East of Holy Mission School, Vijay Singh Yadav Path, Kagoul, P.S.-Khagoul, Distt.-Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 15417 of 2023

Kapil Muni Nirala Son of Radhe Sah, resident of Tahir Lane, Gardanibagh, P.O. - Anishabad, P.S. - Gardanibagh, Distt. - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Co-operative Department, Govt. of Bihar, Patna.
2. Registrar, Co-operative Society, Bihar, Patna.
3. M/s Nesh India Infrastructure Pvt. Ltd., through its C.M.D., Gate No. 2, Tiruvantpuram City, Vijay Singh Yadav Path, Danapur - Khagaul Path, P.S. - Danapur, Distt. - Patna.
4. Shashi Bhushan Sinha @ Dinesh Yadav, Managing Director of M/s Nesh India Infrastructure Pvt. Ltd., 501, Laxmi Hari Niwas, Kavi Raman Path,



Nageshwar Colony, P.S. - Buddha Colony, Patna.

5. Vidyut Nagar Sahkari Grih Nirman Samiti Ltd. through its Secretary office at Vidyut Board Colony, Q.No. CAB E/1, New Punaichak, P.S. - Shastrinagar, Distt. - Patna.
6. Murli Manohar Prasad, S/o Late Balmukund Lal, the Secretary of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, R/o Vidyug Board Colony, Q.No. CAB E/1, New Punaichak, P.S. - Shastrinagar, Distt. - Patna and Presently residing at Flat No. 202, Mala Apartment, Behind Sona Medical Hall, West Patel Nagar, P.S. - Shastrinagar, Distt. - Patna.
7. Dinesh Chandra Verma, S/o Late Jamuna Prasad, present the President of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, resident of Patel Nagar, Gandhi Murti, Road No. 5, Flat No. - 202, Chandra Tara Apartment, P.S.- Shastrinagar, Distt. - Patna. And Presently residing at Ganga Path, West Patel Nagar, Shastrinagar, P.S. - Shashtrinagar, Distt. - Patna.
8. Bidya Nand Mishra, S/o Late Nand Gopal Mishra, present the Vice President of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, resident of Patel Nagar, Flat No. - 201, Mala Apartment, Behind of Sona Medical Hall, P.S. - Shastrinagar, Distt. - Patna And presently residing at Vidyut Nagar, East of Holy Mission School, Vijay Singh Yadav Path, Kagaloul, P.S. - Kagaloul, Distt. - Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 15553 of 2023

Shanti Devi Wife of Late Shiv Kumar Prasad, Resident of Chitkohra, Vishnupuri, Near Ambedkar Chowk, P.S.- Gardanibagh, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Co-operative Department, Govt. of Bihar, Patna.
2. Registrar, Co-operative Society, Bihar, Patna.
3. M/s Nesh India Infrastructure Pvt. Ltd., through its C.M.D., Gate No.2, Tiruvantpuran City, Vijay Singh Yadav Path, Danapur- Kagaloul Path, P.S.- Danapur, Distt.- Patna.
4. Shashi Bhushan Sinha @ Dinesh Yadav, Managing Director of M/s Nesh India Infrastructure Pvt. Ltd., 501, Laxmi Hari Niwas, Kavi Raman Path, Nageshwar Colony, P.S.- Buddha Colony, Patna.
5. Vidyut Nagar Sahkari Grih Nirman Samiti Ltd., through its Secretary office at Vidyut Board Colony, Q.No. CAB E/1, New Punaichak, P.S.- Shastrinagar, Distt.- Patna.
6. Murli Manohar Prasad, S/o Late Balmukund Lal, the Secretary of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, R/o Vidyut Board Colony, Q.No. CAB E/1, New Punaichak, P.S. Shastrinagar, Distt, Patna and presently residing at Flat No.202, Mala Apartment, Behind Sona Medical Hall, West Patel Nagar, P.S.- Shastrinagar, Distt.-Patna.



7. Dinesh Chandra Verma, S/o Late Jamuna Prasad, present the President of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, resident of Patel Nagar, Gandhi Murti, Road No.5, Flat No.- 202, Chandra Tara Apartment, P.S.- Shastrinagar, Distt.- Patna. And presently residing at Ganga Path, West Patel Nagar, Shastrinagar, P.S.- Shashtrinagar, Distt. Patna.
8. Bidya Nand Mishra, S/o Late Nand Gopal Mishra, present the Vice President of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, resident of Patel Nagar, Flat No.- 201, Mala Apartment, Behind of Sona Medical Hall, P.S.- Shastrinagar, Distt.- Patna And presently residing at Vidyut Nagar, East of Holy Mission School, Vijay Singh Yadav Path, Khagaul, P.S.- Khagaul, Distt.- Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 16081 of 2023

Sanjit Kumar Sinha Son of of Late Jyotindra Kumar Sinha, Resident of Flat No. 405/C, Valmika Enclave, Murichak, Jagdeo Path, Rukunpura, P.S.- Rupaspur, Distt. Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Co-operative Department, Govt. of Bihar, Patna.
2. Registrar, Co-operative Society, Bihar.
3. M/s Nesh India Infrastructure Pvt. Ltd., through its C.M.D., Gate No.2, Tiruvantpuram City, Vijay Singh Yadav Path, Danapur- Khagaul Path, P.S.- Danapur, Distt.- Patna.
4. Shashi Bhushan Sinha @ Dinesh Yadav, Managing Director of M/s Nesh India Infrastructure Pvt. Ltd., 501, Laxmi Hari Niwas, Kavi Raman Path, Nageshwar Colony, P.S.- Buddha Colony, Patna.
5. Vidyut Nagar Sahkari Grih Nirman Samiti Ltd., through its Secretary, Office at Vidyut Board Colony, Q.No. CAB E/1, New Punaichak, P.S.- Shastrinagar, Distt.- Patna.
6. Murli Manohar Prasad, S/o Late Balmukund Lal, the Secretary of Vidhyut Nagar Sahkari Grih Nirman Samiti Ltd., Patna, R/o Vidyut Board Colony, Q.No. CAB E/1, New Punaichak, P.S.- Shastrinagar, Distt.- Patna and presently residing at Flat No.202, Mala Apartment, Behind Sona Medical Hall, West Patel Nagar, P.S.-Shastrinagar, Distt.- Patna.
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Shastrinagar, Distt.- Patna and presently residing at Vidyut Nagar, East of Holy Mission School, Vijay Singh Yadav Path, Khagaul, P.S.- Khagaul, Distt.- Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 14902 of 2023)

For the Petitioner/s : Mr. Niraj Gopal Sharan, Advocate
For the Resp. Nos. 3 & 4: Mr. Raushan Kumar
Mr. Sahil Kumar, Advocates
For the State : Mr. Manoj Kumar Ambastha, SC-26
Mr. Tripurari Nath Ambastha, AC to SC-26

(In Civil Writ Jurisdiction Case No. 14904 of 2023)

For the Petitioner/s : Mr. Niraj Gopal Sharan, Advocate
For the Resp. Nos. 3 & 4: Mr. Raushan Kumar
Mr. Sahil Kumar, Advocates
For the State : Mr. Rakesh Ranjan, Advocate

(In Civil Writ Jurisdiction Case No. 15417 of 2023)

For the Petitioner/s : Mr. Niraj Gopal Sharan, Advocate
For the Resp. Nos. 3 & 4: Mr. Raushan Kumar
Mr. Sahil Kumar, Advocates
For the State : Mr. Swapnil Kumar Singh, AC to GP-19

(In Civil Writ Jurisdiction Case No. 15553 of 2023)

For the Petitioner/s : Mr. Niraj Gopal Sharan, Advocate
For the Resp. Nos. 3 & 4: Mr. Raushan Kumar
Mr. Sahil Kumar, Advocates
For the State : Mr. Rakesh Ranjan, Advocate

(In Civil Writ Jurisdiction Case No. 16081 of 2023)

For the Petitioner/s : Mr. Niraj Gopal Sharan, Advocate
For the Resp. Nos. 3 & 4: Mr. Raushan Kumar
Mr. Sahil Kumar, Advocates
For the State : Mr. Rakesh Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-06-2024 Heard learned counsel for the petitioners, learned counsel appearing on behalf of the Respondent Nos. 3 and 4 as well as learned counsel appearing on behalf of the State.

2. After some arguments and in view of the Full Bench Judgment dated 08.09.2009 passed in C.W.J.C. No. 3110 of 2004 (Vidya Bhushan singh Abhai Vs. The Bihar State Co-operative Milk Producer's Federation Ltd. and Ors.), learned



counsel for the petitioners seeks permission to withdraw the applications with liberty to move before the appropriate forum in accordance with law.

3. The writ petition stands dismissed as withdrawn with the aforesaid liberty.

(Rajesh Kumar Verma, J)

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