

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17931 of 2024

Amrendra Kumar Singh, Son of Late Ramlagan Singh, Resident of Village-Gaibandhi, P.O.- Ibrahimpur Parasauni, P.S.- Phenhara, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Co-Operative Department, Government of Bihar, Patna.
2. The Special Secretary, Co-Operative Department, Government of Bihar, Patna.
3. The Registrar, Co-Operative Societies Department, Bihar, Patna.
4. The Managing Director, Motihari Central Co-Operative Bank Limited, Motihari, District- East Champaran.
5. The Chairman, Motihari Central Co-Operative Bank Limited, Motihari, District- East Champaran.
6. The Branch Manager, Motihari Central Co-Operative Bank Limited, Pakaridayal, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sarvesh Kumar Singh, AAG-13
For the Bank	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-11-2024

Heard the parties.

2. The petitioner prays for issuance of a writ in the nature of mandamus seeking a direction upon the respondents to ensure payment of entire due salary after granting 10th pay-scale along with other consequential benefits from 2014 to 2017.

3. Learned counsel for the petitioner contended that in view of the minutes of meeting of the Board of the Director dated 05.01.2021, a proposal was placed vide Proposal No. 8 by



Managing Director of the Bank to make payment of 10th pay scale of all the employees of institution of Banking Personnel Service (IBPS) and the same was passed unanimously and accordingly the payment was made to the juniors of the petitioner w.e.f. 2014, but the same has been denied to the petitioner.

4. At this juncture, learned counsel for the Co-operative Bank made preliminary objection with regard to the maintainability of the writ petition and submitted that the petitioner has appropriate alternative remedy before the Registrar Co-operative Societies, Bihar, Patna under Section 48 of the Co-operative Act, 1948.

5. The order of this Court dated 12.11.2024 passed in **C.W.J.C. No. 17115 of 2024 [Arvind Kumar v. The State of Bihar and Others]** has also been produced and submitted that in identical situation, the writ-petitioner was directed to approach before the Registrar Co-operative Societies under the Act, 1948 for redressal of his grievance.

6. Considering the submissions advanced before this Court and taking note of the nature of the grievance, this Court thinks it apt to dispose off the writ petition with a liberty to the petitioner to approach before the Registrar Co-operative



Societies under the Act, 1948.

7. If an appropriate application is filed before the respondent no.3, the Registrar Co-operative Societies, preferably within a period of four weeks from today, the same shall be considered and disposed off after giving proper opportunity of hearing to all the concern, preferably within a further period of three months.

8. The writ petition stands disposed off with the aforesaid liberty.

(Harish Kumar, J)

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