

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2294 of 2025

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Madan Mohan Prasad Singh S/o Late Sheo Nandan Prasad Singh, R/o vill. Nimi, P.S. - Barbiga (now Sheokhopur), Dist. Sheikhpura at present Mohalla Rajendra Nagar, P.S. Nawada Town, District - Nawada, Retired Co-operative Manager, Kena, Bhadokhara and Sishwma Pax.

... .. Petitioner/s

Versus

1. The State of Bihar through the Registrar, Co-operative Societies, Bihar, Patna, P.S. - Secretariat, District - Patna.
2. The Registrar, Co-operative Societies, Bihar, Patna, P.S. - Secretariat, District- Patna.
3. The Deputy Registrar, Co-operative Societies, Bihar, Patna, P.S.- Secretariat, District - Patna.
4. The Central Co-operative Bank, Nawada through its Managing Director, P.S. Nawada, District - Nawada.
5. Managing Director Central Co-operative Bank Ltd. Nawada, P.S. Nawada, District - Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Prasad Singh, Adv.
For the Respondent/s	:	Mr. Raghwanand, GA-11
		Mr. Sanjay Kr. Tiwari, AC to GA-11
For the Bank	:	Mr. Bindhyachal Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-02-2025 Heard the parties.

2. The petitioner is aggrieved with the letter no. 1611 dated 15.11.2024 issued by the Managing Director, Nawada Central Cooperative Bank, whereby the claim of the petitioner for due salary stood rejected.

3. At the threshold, learned counsel for the Co-operative Bank made a preliminary objection with regard to the maintainability of the writ petition, inasmuch as it is



contended that the petitioner was working as Paid Manager of PACS and in any circumstances the writ petition is not maintainable. If the petitioner has any grievance, he may approach before the respondent no.2, the Registrar Co-operative Societies, Bihar, Patna, under Section 48 of the Bihar Cooperative Societies Act, 1935.

4. Considering the nature of the grievance and the *inter se* dispute of the petitioner with the Co-operative Bank, this Court finds that the objection raised by the Co-operative Bank is sustainable. No writ petition is maintainable against Co-operative Bank unless it meets certain conditions; such conditions include a breach of statutory duty or involvement of public function. Reference in this regard may be taken to a Special Bench decision of this Court in the case of **The Organizer, Dehri C.D. & C.M. Union Limited v. The State of Bihar and Others [2014(1) PLJR 695]**.

5. The writ petition stands closed with the liberty aforesaid.

(Harish Kumar, J)

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