

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16769 of 2024

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1. Gopal Prasad Son of Late Jichha Prasad Resident of Village- Bermi, Police Station- Kadirganj, District- Nawadah.
 2. Anil Kumar Son of Late Madan Singh Resident of Village- Bhadseni, Police Station- Hisua, District- Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Co-operative, Government of Bihar, Patna.
2. The Registrar, Co-operative Societies, Bihar, Patna.
3. The Managing Director, Nawadah Central Co-operative Bank Ltd., Nawadah.
4. The Chairman, Nawadah Central Co-operative Bank Ltd., Nawadah.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Adv.
For the Respondent/s	:	Mr. Manoj Kumar Yadav, AC to GA-10
For the Nawada Bank	:	Mr. Bindhyachal Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-07-2025 Heard the parties.

2. The petitioners by invoking the extraordinary writ jurisdiction of this Court seek a direction upon the respondent- Central Co-operative Bank Ltd. to ensure their post retiral benefit, including Pension, Gratuity, Leave Encashment, Provident Fund and other allowances with up-to-date interest as also the difference of arrears of benefit on account of revision of 10th pay-scale.

3. Learned Advocate for the petitioners contended that despite the fact that the employees of Nawada Co-operative



Bank and others have been extended the benefit of 10th pay-scale after getting it approved from the competent authority w.e.f. 01.04.2024, the petitioners have been deprived of the same without assigning any reason.

4. At the outset, learned Advocate for the Co-operative Bank made preliminary objection with regard to the maintainability of the writ petition and submitted that the petitioners have appropriate alternative remedy before the Registrar Co-operative Society, Bihar, Patna under Section 48 of the Co-operative Act, 1948.

5. At this juncture, learned Advocate for the petitioners submits that the petitioners had already approached before the Registrar Co-operative Society, Bihar, Patna by filing a representation through the registered post on 10.09.2024.

6. Considering the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the fact that the petitioners have appropriate remedy available before the Registrar Co-operative Society under the Act, 1948; and they have already filed a representation, which is pending consideration before him, this Court without delving into the merit(s) of the case, dispose off the writ petition with a direction upon the respondent no. 2, the Registrar, Co-operative Societies,



Bihar, Patna to take up the case of the petitioners and dispose off the same after giving proper opportunity of hearing to all the concern, preferably within a period of three months, from today.

7. The writ petition stands disposed off.

(Harish Kumar, J)

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