

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S). No. 4851 of 2017

Sarabjeet Singh, son of Sri Parash Singh, aged about 62 years,
resident of village & P.O. Gundi, P.S. Barhara, District Bhojpur
(Bihar).

..... **Petitioner**

Versus

1. Bihar State Co-operative Land Development Bank through its Chairman having its office at Budh Marg, Patna, P.O. & P.S. Patna, District Patna-800001 (Bihar).
2. The Managing Director, Bihar State Co-operative Land Development Bank Budh Marg, Patna, P.O. & P.S. Patna, District Patna-800001 (Bihar).
3. The Senior Regional Manager, Bihar State Co-operative Land Development Bank, Ranchi, P.O. & P.S. Ranchi, District Ranchi.
4. The Branch Manager, Bihar State Co-operative Land Development Bank, Daltonganj Branch, P.O. & P.S. Daltonganj, District Palamau.

..... **Respondents**

with

W.P.(S). No. 2600 of 2016

Jefrin Ekka, son of late Nicolas Ekka, Accountant (Retd.), Bihar State Cooperative Land Development Bank, Ranchi, resident of Vill.-Chatakar, P.O. Chainpur, P.S. Dumri, Distt. Gumla.

..... **Petitioner**

Versus

1. The Bihar State Cooperative Land Development Bank through its Chairman, Birchand Patel Marg, P.O. + P.S. Patna, Patna.
2. The Managing Director, Bihar State Cooperative Land Development Bank, Birchand Patel Marg, P.O. + P.S. Patna, Patna.
3. The Regional Manager, Bihar State Cooperative Land Development Bank, Regional Office, P.O. Ranchi, P.S. Sadar, Ranchi.

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioners : Mr. Raj Vardhan, Advocate
Mr. Ram Subhag Singh, Advocate
For the Respondents : M/s. Mahesh Kr. Sinha, Gaurav Priyadarshi,
Anup Kumar Yadav, Advocates

31/ 28.01.2026 Heard learned counsel for the parties.

2. In W.P.(S). No. 4851 of 2017, the petitioner has prayed for following reliefs:

i) For direction upon the respondents to pay the retiral benefits with 5% interest to the petitioner such as -

a) Gratuity

b) CPF

c) Group Insurance

d) Leave Encashment

e) Payment of 78 months' salary amounting to Rs.11,33,268/ etc. petitioner has retired from the post of Assistant, Bihar State Co-operative Land Development Bank, Daltonganj Branch on 31.01.2017.

ii) For direction upon the respondent no.2 i.e. Managing Director, Bihar State Co-operative Land Development Bank, Budh Marg, Patna to dispose of the representation dated 12.7.2017 filed petitioner for payment of retiral dues alongwith arrears of salary but till date nothing has been paid.

iii) For quashing of Memo No.408 dated 28.01.2017 (Annexure-8) issued by Managing Director, Bihar State Co-operative Land Development Bank, Bihar, Patna whereby the service has been terminated without following principle of natural justice like enquiry, second show cause etc.

Similarly, in W.P.(S). No. 2600 of 2016, the petitioner has prayed for following relief:

For a direction to the respondents to pay the arrears of salary of the petitioner for the month of March 2005 to December 2011 and October 2014 with interest @ 18% p.a. and pay him the post-retirement benefit including Gratuity, Provident Fund, Group Insurance and leave encashment to the petitioner with interest 18% p.a. since the respondent authority has arbitrarily not paid any post-retirement benefit to the petitioner till date and also for grant of other consequential benefit for which the petitioner is entitled in accordance with law.

3. At the outset, learned counsel for the respondents raises the issue of maintainability and relies upon the judgment of Hon'ble Patna High Court rendered in the case of *The Organizer, Dehri*

*C.D. & C.M. Union Limited Vs. the State of Bihar & Ors.*¹, wherein it has been held that the respondent-Bihar State Cooperative Land Development Bank is not a State within the meaning of Article 12 of the Constitution. Learned counsel further submits that in the case of *The Organizer, Dehri C.D. & C.M. Union Limited Vs. the State of Bihar & Ors. (supra)*, the respondent is the same Bank who is respondent in the instant case and the said judgment of Hon'ble Patna High Court has not been superseded, annulled or modified; as such, the petitioners have no case on the issue of maintainability.

4. In reply to the aforesaid submissions, learned counsel for the petitioners initially relied upon the judgment passed by the Hon'ble Apex Court in the case of *U.P. State Cooperative Land Development Bank Ltd. Vs. Chandra Bhan Dubey & Ors.*², however, on a specific query that the respondent in the instant case is same and similar with that of the respondent in the judgment passed in *The Organizer, Dehri C.D. & C.M. Union Limited Vs. the State of Bihar & Ors. (supra)*, which has not been challenged till date; learned counsel for the petitioners does not dispute the same. However, he fairly submits that the instant applications may be disposed of with the liberty to the petitioners to take alternative remedy, if so advised.
5. Having regard to the aforesaid facts and circumstances of the case and after going through the judgment passed in the case of *The Organizer, Dehri C.D. & C.M. Union Limited Vs. the State of Bihar & Ors. (supra)*, it appears that the Special Bench of Patna High Court has held that Bihar State Cooperative Land Development Bank is not a State withing the meaning of Article 12 of the Constitution. It is also admitted by the respective petitioners that the respondent herein is the same Bank and the order passed by the Patna High Court has not been superseded, annulled or

¹ 2014 SCC OnLine Pat. 7890: (2014) 1 PLJR 695

² (1999) 1 SCC 741

modified.

6. Accordingly, the instant application is hereby disposed of by giving liberty to the petitioners to avail the alternative remedy for redressal of their grievances, if so advised.
7. With the aforesaid observations, both these writ application stand disposed of.

(Deepak Roshan, J.)

28th January, 2026
Kunal/-
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