IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11270 of 2026

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Uttam Kumar S/o- Bisheshwar Ram, Resident of Village- Karhansi, P.O.- Karhansi, P.S.- Natwar, District- Rohtas at Sasaram.

... ... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Rohtas at Sasaram.
2. The District Magistrate, Rohtas at Sasaram.
3. The Chairman, Dalit Industries Association, Bihar, Patna.
4. The Secretary, Dalit Industries Association, Bihar, Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Vikalp, Adv.
For the Respondent/s : Mr. Pankaj Kumar, SC 12

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

2 20-08-2026 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the respondent.

2. With consent of both the parties, this writ application is being disposed of at the stage of admission itself.

3. This writ application has been filed for the following relief (s) :-

> *(I) For a direction to the authority concerned to issue the loan amount 50 lakhs in the favour of himself and 25 lakhs in the favour of his father.*

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(ii) For a direction to the authority concerned to take appropriate action regarding the grievance of the petitioner.

(iii) For direction the authority concerned to disposed of the Representation filed by the petition.

(iv) For direction to the authority concerned to reply the facts of legal notice send on dated 08.08.2025.

(v) For any other relief/reliefs which is deem fit and proper in the eye of law.

4. It appears from the prayer made in the writ application that petitioner seeks indulgence of this Court to direct the concerned authority for sanction and disbursement of loan amounts of Rs. 50 lakhs in his favour and Rs. 25 lakhs in favour of his father and to take appropriate action on the representation of the petitioner.

5. Learned counsel appearing on behalf of the respondent-State raised a preliminary objection as to the maintainability of the present writ application under Article 226 of the Constitution of India. It is submitted that the petitioner has neither pleaded nor established any case of infringement of any legal or statutory right, which is a *sine qua non* for invoking the extraordinary writ jurisdiction of this Court under Article

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226 of the Constitution of India. It is further submitted that the respondent against whom the relief has been sought is a valid Industry Association and does not fall within the ambit of the expression “State” as defined under Article 12 of the Constitution of India. On this ground also, it was contended that the present writ application is not maintainable. Learned counsel further submitted that the petitioner has not disclosed, even in paragraph 3 of the writ application, the basis upon which the writ jurisdiction of this Court under Article 226 of the Constitution of India is sought to be invoked.

6. I find substance in the preliminary objection raised on behalf of the respondent-State. The petitioner has failed to demonstrate the infringement of any legal or statutory right so as to warrant exercise of the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India. Moreover, the respondent against whom the relief has been sought is not a “State” within the meaning of Article 12 of the Constitution of India. In the absence of infringement of any enforceable legal or statutory right and having regard to the nature of existence of the respondent, the present writ application is not maintainable.

7. Accordingly, the writ application, being

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misconceived and not maintainable in law, is dismissed. This Court, therefore, declines to exercise its jurisdiction under Article 226 of the Constitution of India.

(Girijish Kumar, J)

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