

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15704 of 2014

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1. Binod Jha, Son of Late Gopi Nath Jha Resident of Village - Kakraul,
Police Station - Rahika, District - Madhubani.

.... Petitioner

Versus

1. The State of Bihar through the Director (Agriculture) Statistical Directorate Patna.
2. The Joint Director (Agriculture) means and Statistical Directorate, Bihar, Patna.
3. The District Statistical Officer, Madhubani.
4. The Regional Manager, Agriculture Insurance Company of India Limited having its Regional Office at Grand Plaza, 3rd Floor, near Dak Bungalow Chouraha, Frazer Road, Patna.
5. The Rohika Central Co-operative Bank Limited, Madhubani, through the Managing Director.
6. The Managing Director, The Rohika Central Co-operative Bank Limited, Madhubani.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kripa Nand Jha, Adv.
For the Respondent/s : Mr. Aag14- K.K. Jha

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 22-06-2015 The petitioner claims to be the President of Primary Agriculture Credit Co-operative Society (PACCS), Kakraul of the district Madhubani. The writ petition is filed with a prayer to direct respondent No.4 and 5 to

release the insurance amount to various farmers, who happen to be the members of the Society.

It is stated that the farmers are qualified themselves to be paid the insurance amount for the damage caused to their crops, but respondent Nos.4 and 5 did not release the amount.

Heard Shri Kripa Nand Jha, learned counsel for the petitioner and Shri K.K. Jha, learned A.A.G.-14 for the State.

The writ petition is filed in his individual capacity, by the petitioner. The petitioner happens to be the President of the Society. Basically the insurance claims are personal, in nature. Each claimant has to submit his claim and the insurer shall have to process the same. Assuming that there is common cause for all the farmers, the occasion for respondent Nos.4 and 5 would arise only when either individual claim or collective representations are submitted. Nothing of the sort has been pleaded.

We, therefore, dispose of the writ petition, leaving it open to the petitioner either to arrange for submission of individual or their collective representation before respondent Nos. 4 and 5, and the latter, in turn,

shall pass appropriate orders within six weeks from the date of receipt of the representation, duly verifying the facts.

(L. Narasimha Reddy,CJ)

(Sudhir Singh, J)

K.C.jha/-

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