

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17679 of 2015

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1. Satish Kumar, son of Late Anil Kumar Pandey, resident of Village-Mukundpur, P.S.- Charpokhari, District- Bhojpur at Ara.
 2. Krishna Kant Pandey, son of Late Badri Narayan Pandey, resident of Village- Mukundpur, P.S.- Charpokhari, District- Bhojpur at Ara.
 3. Brij Kumar Pandey, son of Late Fagu Pandey, resident of Village-Mukundpur, P.S.- Charrpokhari, District- Bhojpur at Ara.
 4. Nirmal Thakur, son of Late Roshan Thakur, resident of Village-Mukundpur, P.S.- Charpokhari, District- Bhojpur at Ara.
- Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Cooperation, Government of Bihar, Patna.
2. The Principal Secretary, Department of Co-operation, New Secretariat, Bihar, Patna.
3. The Registrar, Co-operative Societies, New Secretariat, Bihar, Patna.
4. The Managing Director, Bihar State Food and Civil Supplies Corporation, Bihar, Patna.
5. The District Magistrate, Bhojpur at Ara.
6. The District Co-operative Officer, Bhojpur at Ara.
7. The Sub-divisional Officer, Piro, District Bhojpur at Ara.
8. The District Manager, Bihar State Food and Civil Supplies Corporation, Bhojpur at Ara.
9. The Circle Officer-cum-Enforcement Officer, Charpokhari, District-Bhojpur at Ara.
10. Sri Shivjee Singh, son of Late Tiwari Singh, resident of village-Mukundpur, P.S.- Charpokhari, District-Bhojpur at Ara, presently Chairman of Charpokhari Primary Agriculture Credit Society.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Respondent-State : Mr. Anil Kumar Sinha, GA-9
For the Respondent- SFC : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 26-11-2015

Heard the parties.

The petitioner are farmers/members of the Charpokharir Primary Agriculture Credit Cooperative Society in the district of Bhojpur (hereinafter referred to as 'the PACS') and pray for a direction to the authorities of the Bihar State Food

and Civil Supplies Corporation (hereinafter referred to as 'the Corporation') to make payment of the paddy procured by the PACS in question.

The prayer is contested by Mr. Shailendra Kumar Singh, learned counsel appearing for the Corporation to submit that the petitioners having approached this Court belatedly and after the cut-off date, on the principles laid down by this Court in CWJC No.10728 of 2015 (Auraiya Primary Agriculture Credit Cooperative Society Ltd. vs. The State of Bihar) and in CWJC No.11746 of 2015 (Ameya Primary Agricultural Cooperative Society vs. The State of Bihar) and analogous cases, the petitioners are not entitled to the relief.

I have heard learned counsel for the parties and perused the records.

The issue so raised in this writ petition has been exhaustively dealt with by this Court in the judgment rendered in CWJC No.10728 of 2015 and in CWJC No.11746 of 2015 and analogous cases and this Court upon consideration of the rival contentions and the facts available on record has concluded that the claim of such of the cooperative societies which stands supported by the enforcement certificate and the society concerned has approached this Court before the cut-off date

fixed under the policy of the Government of India which is 31.8.2015, would only be entitled to the relief. The cut-off date under the policy has expired on 31.8.2015. Meaning thereby the scheme has ceased to have its existence.

On the principles so laid down by this Court in CWJC No.10728 of 2015 and CWJC No.11746 of 2015 and analogous cases, the petitioners having approached this Court after the cut-off date are not found entitled to any indulgence.

The writ petition is disposed of leaving it open for the petitioners to pursue their remedy departmentally or otherwise.

(Jyoti Saran, J)

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