

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.709 of 2015

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1. Radhe Shyam Mishra Son of Ram Narayan Mishra R/o Village Mangarahari, P.S. Shikarpur, District West Champaran
2. Suresh Prasad Son of Late Lal Bihari Prasad R/o Village Bagahi Baghaksarpur, Post Office Patjirawa, P.S. Bairiya, District West Champaran
3. Naviullah Khan Son of Late Hasim Khan R/o Pakhnaha Bazar, P.S. Bairiya, District West Champaran
4. Digivijay Kumar Rao Son of Sri Brij Raj Rao R/o Maa Ambika Tyre Centre, Teen Lalten Chauk, P.S. Bettiah (M), District West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary Fishery Department, Govt of Bihar, Patna
3. The Director, Fishery Directorate, Bailey Road, Patna
4. The District Fishery Officer cum Chief Executive Officer, Bettiah Weswt Champaran
5. The Branch Manager, Dena Bank, Boring Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav
For the Respondent/s : Mr. Amar Nath Deo

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 17-07-2015 Heard Mr. Gautam Kumar Yadav for the petitioners and the A.C. to S.C. 26 for the State.

Petitioners applied for fish farming loan from the Bank. Certain amount was sanctioned to each of them in the year 2015. The present writ petition has been filed for a direction on the respondents to grant subsidy amount of loan to them for farming of fish as per the Government scheme.

On query made by the Court, Mr. Yadav has fairly stated that the petitioners have not paid any loan amount although they accept the liability of payment of at least 50 % plus agreed

interest. The rest loan amount, according to them, has to be paid by way of subsidy.

Be it noted that the respondent Bank has disputed the aforesaid contention.

Having realized the fact that the petitioners have not paid any part of the loan amount, Mr. Yadav seeks permission of the Court to withdraw the application enabling them to pay at least 50 % of the loan amount plus agreed interest and thereafter raise a claim for payment of subsidy or other benefits arising under the scheme in which they were given the loan by the Bank for fish farming.

The application is permitted to be withdrawn with the aforesaid liberty.

(Kishore Kumar Mandal, J)

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