

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14745 of 2013

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1. Mithelesh Kumar Sah Son Of Late Daya Ram Sah Resident Of Village- Ganpataul, Division- Ganpataul, District- Begusarai
 2. Ram Lochan Mahto Son Of Uchit Lal Mahto Resident Of Village- Habaspur, Division- Mansorchak, District- Begusarai
 3. Yogendra Prasad Mahto Son Of Hari Narayan Mahto Resident Of Village- Habaspur, Division- Mansorchak, District- Begusarai
 4. Tuntun Mahto Son Of Ram Bilash Mahto Resident Of Village- Virganj, Division- Mansorchak, District- Begusarai
 5. Shashi Kumar Son Of Rameshwar Mahto Village- Virganj, Division- Mansorchak, District- Begusarai
 6. Amresh Kumar Son Of Ram Bilash Mahto Resident Of Village- Habaspur, Division- Mansorchak, District- Begusarai
 7. Sikandar Mahto Son Of Ram Pratap Mahto Resident Of Village- Habaspur, Division- Mansorchak, District- Begusarai
 8. Vindeshwari Mahto Son Of Ram Pratap Mahto Resident Of Village- Habaspur, Division- Mansorchak, District- Begusarai
 9. Ram Bahadur Mahto Son Of Late Laddo Lal Mahto Resident Of Village- Habaspur, Division- Mansorchak, District- Begusarai
 10. Manju Devi Wife Of Ram Sagar Mahto Resident Of Village- Virganj, Division- Mansorchak, District- Begusarai
 11. Braj Kishore Sah Son Of Late Asharfi Sah Resident Of Village- Ganpataul, Division- Mansorchak, District- Begusarai
 12. Sunita Devi Wife Of Ram Kumar Mahto Resident Of Village- Virganj, Division- Mansorchak, District- Begusarai
 13. Sarita Kumari Wife Of Raj Kumar Mahto Resident Of Village- Virganj, Division- Mansorchak, District- Begusarai
 14. Narendra Sah Son Of Late Yogendra Sah Resident Of Village- Mahendraganj, Division- Mansorchak, District- Begusarai
 15. Ved Prakash Son Of Ram Bilash Mahto Resident Of Village- Virganj, Division- Mansorchak, District- Begusarai
 16. Jayanti Devi Wife Of Dayanand Mahto Resident Of Village- Virganj, Division- Mansorchak, District- Begusarai
 17. Rajmani Kumari Wife Of Ram Swarth Mahto Resident Of Village- Virganj, Division- Mansorchak, District- Begusarai
 18. Sanjeeta Devi Wife Of Maheshwar Mahto Resident Of Village- Virganj, Division- Mansorchak, District- Begusarai

.... Petitioner/s

Versus

1. District Horticulture Officer Begusarai, District- Begusarai
2. Secretary, Rural Development Committee, Begusarai, District- Begusarai
3. District Development Manager, Nabard, Begusarai District- Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mauli, Advocate.
For the Respondent/s : Mr. Sita Ram Yadav, GP-16

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 16-08-2016

Heard Mr. Mrigank Mauli for the petitioners and Mr. Sita Ram Yadav, GP-16 for the State.

Petitioners claim the benefit payable to them for beekeeping under the Scheme sponsored by the Government of India for betterment of the marginalized farmers in rural sector under the National Horticulture Mission. Under the said Scheme, they claimed to have purchased the bee boxes for the purpose of beekeeping after being trained by the Government inasmuch as subsequently they applied for grant of loan from the Bank. The Bank approved the loan and amount was directly credited in the account of the seller of the bee boxes.

The grievance of the petitioners is that the respondent-State have not released the subsidy component/ part of the loan as applicable to the Scheme in-question which has caused monetary loss to the petitioners.

On going through the diverse pleadings and the statements made in the counter affidavit, it appears that the State respondents, on a consideration of application made by the eligible persons, have permitted the subsidy to be disbursed in favour of the 08 applicants like the petitioners. In case of the petitioners, an

objection is being raised that the bee boxes were to be purchased/supplied from/by one Nunu Mahto who was appointed as nodal agency. However, nothing has been placed on record by the respondents that any such term was previously intimated to the Bank or the petitioners. The respondents, in view of the above, would not be justified in refusing to consider release of the subsidy component of the loan in favour of the Bank only on this ground.

In the light of the aforesaid, the respondents are directed to consider the case of the petitioners afresh for grant of subsidy part of the loan in favour of the petitioners to be credited in their respective loan accounts. Such consideration be made and order be passed within 05 weeks on production of a copy of this order before the concerned respondents.

(Kishore Kumar Mandal, J)

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