

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3375 of 2014

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Ravi Ranjan Son Of Rameshwar Rai Resident Of Village- Kedalpura, P.O. and
P.S.- Akilpur, District- Patna. The Secretary of Lok Jagran Seva Sansthan, Office
Situated at Village- Sikandarpur, P.O.- Chandmari, P.S.- Shahpur, District- Patna

.... Petitioner/s

Versus

1. The State Of Bihar through Director, District Rural Development Authority, Patna
2. The Special Executive Officer, Rural Development Department, Patna, Bihar
3. The Deputy Development Commissioner, Patna, District- Patna
4. The District Magistrate, Patna Division, Patna
5. The Sub-Divisional Officer, Danapur, District- Patna
6. The Block Development Officer, Danapur, District- Patna
7. The Ladies Extension Officer, Danapur, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shankar Dayal Singh Mr. Deepak Prasad Sinha
For the Respondent/s	:	Mr. Rishi Raj Sinha Mr. Akhilesh Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 20-09-2016

Heard both sides.

Parties have exchanged pleadings.

The petitioner is the Secretary of a non-government organization called Lok Jagran Seva Sansthan. The writ application prays for a direction upon the respondents-State to make payment of the entire dues of the petitioner's NGO which was incurred on providing basic orientation and skill development training under Swarnajayanti Gram Swarozgar Yojana (S.G.S.Y.) sponsored by the State Government.



It is stated that under the said yojna, the petitioner was assigned the work to impart basic orientation and skill development training to diverse self help groups. The claim of the petitioner is that upon the assignment of the work it imparted training at best levels to 44 such self help groups. The respondents on request had also advanced certain money from time to time. However, the entire dues of the petitioner have not been cleared and paid. The Lady Extension Officers involved in the basic orientation and skill development training vide annexure-7 have reported that the training programme(s) were organized under the aegis of the petitioner's organization. It is also stated that all relevant document(s)/paper(s) have been supplied to the respondents-State for payment of the outstanding dues of the petitioner's NGO which comes about to Rs.8,59,279/-. The claim of the petitioner was considered by the respondent-Deputy Development Commissioner, Patna who heads the District Gramin Development Organization (DRDO) and passed an order dated 22.02.2014 denying further monetary claims of the petitioner on the grounds/reasons stated therein. By filing I.A. No. 3878 of 2016, the petitioner has challenged the correctness of the said order. The respondent-Deputy Development Commissioner in the said order has observed as under:

“ लोक जागरण सेवा संस्थान ने सूचित किया कि प्रशिक्षण दिनांक 25.11.2011 से 11.02.2012 तक 44 स्वयं सहायता

समूहों को प्रशिक्षित किया गया. परन्तु, प्रखंड विकास पदाधिकारी, दानापुर ने इसकी पुष्टि नहीं की है. संस्था द्वारा सुनवाई के दौरान प्रशिक्षण के संबंध में कोई ठोस साक्ष्य उपस्थापित नहीं किया. उनके द्वारा प्रस्तुत उपस्थिति पंजी में किसी प्रशिक्षणार्थी का हस्ताक्षर दर्ज नहीं है.

उपरोक्त तथ्यों के आधार पर ऐसा प्रतीत होता है कि लोक जागरण सेवा संस्थान, दानापुर पटना का दिनांक 14.12.2011 से 11.02.2012 तक प्रशिक्षण कराने का दावा संदिग्ध एवं विभागीय निदेश के अनुकूल भी नहीं है.

अतः शेष राशि के भुगतान का दावा खारिज किया जाता है. संस्था यदि इस निर्णय से क्षुब्ध हो तो अपना पक्ष आयुक्त स्वरोजगार सह मुख्य कार्यपालक पदाधिकारी, राज्य मिशन निदेशक, बिहार ग्रामीण जीविकोपार्जन प्रोत्साहन समिति, बिहार, पटना के समक्ष रख सकते हैं.”

Any such monetary claim can be directed to be made if the dues are admitted. The respondents have disputed the claim(s) of the petitioner. In the order itself, it has been stated that the matter can be agitated before the Director of the Mission, Bihar Gramin Jivikoparjan Protsahan Samiti. The petitioner has a forum available where such grievance can be agitated and the same can be examined/considered with reference to the records/files.

In the circumstances, I am not inclined to invoke the extraordinary and discretionary writ jurisdiction of the Court and grant the relief leaving the petitioner to agitate its claim before the Authority as indicated in the order dated 22.02.2014 (Annexure-13).

The writ application as well as the I.A. No. 3878 of 2016 stand disposed of.

Needless to observe, if any such application/representation is filed, the same shall receive due consideration and disposal at the hand of the concerned respondent/authority.

rohit/-

(Kishore Kumar Mandal, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.09.2016
Transmission Date	N.A.