

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.11911 OF 2009

ORDER:

Heard Mr.Sashidar Nair, holding for Mr.G.Nageswara Rao, learned counsel for the petitioner and Sri V.Kishore, learned counsel for contesting respondent.

The petitioners pray for the following relief:

“.....this Hon'ble Court may be pleased to issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not extending the benefit under Agriculture Debt Waiver and Debt Relief Scheme 2008 to the petitioners who availed the investment loan for fisheries under Regulation 4.1(b) r/w regulation 3.3(b) of the Agriculture Debts Waiver and Debt Relief Scheme 2008 as illegal, arbitrary and contrary to the said Scheme and consequently direct the respondents to extend the benefit of Debts waiver and Debt Relief Scheme 2008 to the petitioners in accordance with guideline No.4.1(b) r/w 3.3.(b) of the said Scheme 2008 and pass.....”

The prayer illustrates the grievance of the petitioners.

I have perused the affidavit and also the counter-affidavit filed by the 4th respondent. At the time of hearing, learned counsel for the petitioners relies upon the common order of this Court in W.P.No.24536 of 2008 and batch dated 15.12.2015 and prays for disposing of the writ petition in terms of the said order.

Sri Kishore submits that the petitioners have made grievance against non-consideration of loan waiver for their loan accounts and according to the stand taken in the counter-affidavit the petitioners are not fully entitled for consideration of their cases under the scheme for the amount borrowed and one of the loan accounts is not for agricultural purpose.

I have taken note of the submissions of the learned counsel for

the petitioners. Perused the material available on record and the order of this Court in W.P.No.24536 of 2008 and batch. I am satisfied that the substantive prayer in this writ petition is covered by the order of this Court in W.P.No.24536 of 2008 and batch. The writ petition is disposed of in terms of the said order. It is made clear that the applicability or otherwise of the benefits under the scheme has to be independently considered and appropriate orders in terms of the common order dated 15.12.2015 are passed and communicated to the petitioners. The said exercise shall be completed within a period of three months from today.

The writ petition is disposed of. No order as to costs.

Consequently, pending miscellaneous petitions, if any, also stand disposed of.

S.V.BHATT, J

23rd February 2016

Lrkm