

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.10848 of 2017**

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M/s Patlee Fresh Private Limited Company registered under the Indian Companies Act, 1956 having its registered office at East of Puja Niwas, Mahesh Nagar, P.S.- Patliputra, Patna- 800023 through its Director namely Nityadeo Kumar Verma, son of Sri Mundrika Prasad, resident of 104/A Sri Ram Parishad, Road No.11, Patel Nagar, Shastrinagar, P.S.- Shastrinagar, 800001.

.... .... Petitioner/s

Versus

1. The Union of India through the Ministry of Agriculture and Farmers Welfare Department.
2. National Horticultural Board through its Director, Ministry of Agriculture and Farmers Welfare, Government of India, Plot No.85, Institutional Area, Sector 18, Guru Gram- 12205 (Haryana).
3. The Director, National Horticultural Board, Government of India, Plot No.85, Institutional Area, Sector 18, Guru Gram- 12205 (Haryana).
4. The Joint Secretary (East), National Horticultural Board, Government of India, Plot No.85, Institutional Area, Sector 18, Guru Gram- 12205 (Haryana).
5. The State of Bihar through the Principal Secretary, Department of Agriculture, Old Secretariat, Patna.
6. The Principal Secretary, Department of Agriculture, Government of Bihar, Patna.
7. The Bihar State Horticulture Mission through its Director, Pant Bhawan, Beli Road, Patna.
8. The Mission Director, Bihar State Horticulture Mission, Pant Bhawan, Beli Road, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Kumar Kaushik, Adv.  
For the Union of India : Mr. S.D. Sanjay, A.S.G.  
Mr. Punam Kumari Singh, C.G.C.  
For the State : Mr. Anujit Sinha(AC to PAAG2)

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 20-09-2017**

Heard learned counsel for the parties.

In this case, the petitioner is claiming release of Rs.5,30,760/- for the services rendered by the petitioner company in transportation of Lichi from Bihar to Delhi and Mumbai during Lichi Fare organized in May and June, 2012.



The petitioner was authorized by the Bihar State Horticulture Board for transportation of the Litchi from Patna to Mumbai and New Delhi. Accordingly, the petitioner carried the Lichi to a destination for the purpose of exhibition organized by the National Horticulture Board comes under the Ministry of Agriculture and Farmers Welfare, Government of India. There is no dispute that the petitioner has successfully completed the work. It is also not in dispute that the payment for transportation has also not been made to the petitioner. Already the work has been verified, the National Horticulture Board has also handed over the cheque to the Bihar State Horticulture Mission and that cheque has already been returned to the National Horticulture Board giving its own reasonings that there is no such heading for the aforesaid purpose. Now the dispute is only in what manner the petitioner will be paid the amount. There is no dispute that the petitioner is not entitled to the same. In the end of justice, let the Director, National Horticulture Board, Government of India should issue a cheque in the name of the petitioner company within a period of four weeks from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

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| AFR/NAFR          | NAFR       |
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