

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11811 of 2017

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Hareram Paul son of Sri Rasoo Paul Resident of village - Sonama, P.S.
Garhapura, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Disaster Management Department, New Secretariat, Patna.
2. The District Magistrate, Begusarai.
3. The Deputy Development Commissioner, Begusarai.
4. The Sub-Divisional Officer Bakhari, District - Begusarai.
5. The District Agriculture Officer, Begusarai.
6. The Block Agriculture Officer, Garhpura, District - Begusarai.
7. The Circle Officer, Garhpura, District - Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pratap Sharma
For the Respondent/s : Mr. LALIT KISHORE-AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-11-2017

In this Public Interest Litigation filed by the petitioner, a prayer is made that payment of compensation to the farmers in Garhapura Block under district- Begusarai should be made on the basis of funds released by the State Government to the concerned authorities on account of loss caused to the farmers. It is stated that fund has been released in the form of Agricultural Input Subsidy.

On notice being issued, the State Government, in the Department concerned, has filed a detailed affidavit and a perusal of the affidavit goes to show that after the funds were received by



the office concerned, the Circle Officer of the area in question, i.e. Circle Officer, Garhapura, conducted a spot inquiry into the matter, met the farmers, caused an enquiry and submitted a report that no damage to Rabi crop by natural calamity has been caused in the area and, therefore, funds need not be distributed.

Once such a report has been brought on record, in a Public Interest Litigation no further indulgence can be made.

If any person is affected by the natural calamity and has not received the compensation, he may take up the issue with the competent authority and it would be for the authority to examine the individual claim and grant the benefit in accordance with law. In a Public Interest Litigation now based on the enquiry report that has come on record, no indulgence can be made.

With the aforesaid liberty the application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	8.11.2017
Transmission Date	

