

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11093 of 2016

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Deepak Jaiswal Son of late Jagdish Chaudhary Resident of 87, Kavi Raman Path,
Nageshwar Colony, Boarding Road, P.O. -G.P.O., P.S.- Buddha Colony, District-
Patna.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Animal & Fisheries Resources Department, Government of Bihar, Patna.
3. The Special Secretary, Animal & Fisheries Resources Department, Government of Bihar, Patna.
4. The Director, Animal Husbandry, Directorate of Animal Husbandry, Bihar, Patna.
5. The Regional Animal Husbandry officer, North Bihar, Muzaffarpur.
6. The District Animal Husbandry Officer, Vaishali.
7. Julfqar Ali Haider Son of Jamil Akhtar Resident of At+P.O.- Daud Nagar, Via-Baulkaum, District Vaishali , Pin- 844113.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan

For the Respondent/s : Mr. Devendra Kumar Sinha, AAG-2

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 11-12-2017

This writ petition has been filed by the petitioner for a direction to the respondent authority to release the amount of first installment as well as second installment of the subsidy amount for setting up a Samekit Murgi Vikash Yojana- Layer Murgi Palan,



which has been approved by the Screening Committee and provides subsidy to the extent of 50 % or maximum amount of Rs.25 lacs for over the establishment of Layer Murgi Palan.

2. A preliminary objection has been raised by the learned counsel for the State regarding maintainability of the writ petition in view of availability of an equally efficacious alternative remedy for resolution of the dispute. He submitted that under the scheme, any kind of dispute is to be agitated first before the Principal Secretary/Secretary, Animal & Fisheries Resource Department, Government of Bihar and his decision shall be final. However, the petitioner has approached this Court without availing the remedy under the scheme.

3. I find force in the submissions made by the learned counsel for the State.

4. In view of availability of an equally efficacious alternative remedy to the petitioner under the scheme, I am not inclined to entertain the present writ petition in extraordinary writ jurisdiction under Article 226 of the Constitution of India.

5. Accordingly, the writ petition is disposed of with liberty to the petitioner to raise his dispute first before the authority concerned. In case such a dispute is raised by filing an application before the Principal Secretary/ Secretary concerned, he shall be



required to examine the same and pass a reasoned order in accordance with law as early as possible, preferably within a period of four months from the date of filing of the case.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.12.2017
Transmission Date	NA

