

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1477 of 2016

In
Civil Writ Jurisdiction Case No.17831 of 2015

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The Zonal Manager, Agriculture Insurance Company Of India Limited, Frazer Road, Patna.

... .. Appellant/s

Versus

1. Sheo Nath Singh Son of Late Musafir Singh, Resident of village - Karhan, P.S. Kesariya, District - East Champaran.
2. Shashikant Singh Son of Late Ram Babu Singh, Resident of village - Karhan, P.S. Kesariya, District - East Champaran.
3. Sanju Devi, Wife of Mukesh Kumar Sharma, Resident of village - Karhan, P.S. Kesariya, District - East Champaran.
4. Pankaj Kumar Singh Son of Surendra Singh Resident of village - Karhan, P.S. Kesariya, District - East Champaran
5. Nandan Devi Wife of Pramod Kumar Singh, Resident of village - Karhan, P.S. Kesariya, District - East Champaran.
6. The State of Bihar through the Chief Secretary, Bihar, Patna.
7. The Principal Secretary, Department of Cooperation, New Secretariat, Bihar, Patna.
8. The Registrar, Cooperative Societies, New Secretariat, Bihar, Patna.
9. The Joint Secretary to the Government, Department of Co - operation, Bihar, Patna.
10. The District Magistrate, East Champaran at Motihari.
11. The District Co - Operative officer, East Champaran at Motihari.
12. The Branch Manager, Kesharia Branch, The Motihari Central Coop. Bank Ltd., East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Rajen Sahay
For the State	:	Mr. Mr Ajay Kumar, AC to GP 4
For Respondent 12	:	Mr Bindhyachal Rai

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 29-11-2017

Delay of 68 days in preferring the appeal is condoned. I. A.

No.1270 of 2017 is allowed. Matter is taken up on merits.



It is a fit case for unnecessary harassment being caused to the farmers, who have taken insurance with the Insurance Company with much expectation and hope. The learned Single Judge has remitted the matter to the Insurance Company for taking a call after examining the issue. But a plea is taken that the writ was not maintainable and against a simple order putting onus upon the company, an appeal has been preferred.

In a situation of this kind, the Court is left with no option but to dismiss the appeal. A cost of Rs.25,000/- is awarded upon the Insurance Company, which will be payable to the Patna High Court Legal Services Committee within a period of four weeks from today. If the compliance is not made, the Zonal Manager of the Agriculture Insurance Company will appear in person to face contempt.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.11.2017
Transmission Date	NA

