

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16099 of 2016

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Hasim Ahmad Khan, Son of Abdul Gani Khan, Resident of Village- Bathna, P.O. Bishdhari, P.S. Kesharia, District East Champaran.

.... Petitioner/s

Versus

1. The Union of India through Secretary, Agriculture Department, Govt. of India, New Delhi.
2. The Secretary, Govt. of India, New Delhi Agriculture Department.
3. The State of Bihar, through its Principal Secretary Bihar Patna, Agriculture Department.
4. The Chief Secretary, State of Bihar, Patna.
5. The Secretary, Agriculture Department, Bihar, Patna.
6. The District Agriculture Officer, East Champaran.
7. The Block Development Officer, Kesharia, District East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s :
For the State : Mr. Sarvesh Kumar Singh, AAG-13
Mr. Tej Pratap Singh, A.C. to AAG-13
For Union of India : Mr. Manoj Kumar Singh, C.G.C.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 10-07-2017

The grievance of the petitioner is that for the damages caused to the crop, the amount of insurance is not paid.

The Government has filed a counter affidavit and denied the factual aspect with regard to even existence of the crop in the fields in question.

That being so, there being a dispute with regard to factual aspect of the matter, petitioner should take recourse to the remedy of



approaching the Insurance Ombudsman, a statutory authority created, implead the Insurance company and State Government as a party and raise the claim with regard to the farmers whose crops have been destroyed and to whom the claim has not been settled by filing a proper application before the Insurance Ombudsman and it would be for the Insurance Ombudsman to consider the grievance of the petitioner and pass such order after hearing all concerned.

Granting liberty to the petitioner to take recourse to the said remedy, we dispose of the writ petition.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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