IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8586 of 2018

==

Md. Irfan Son of Md. Harun Resident of Village-P.S.-Madhepur, District-Madhubani ... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. Principal Secretary, Department Industry, Govt. of Bihar, Patna.
3. Collector, Madhubani.
4. District/ Industry Officer District Industry Centre Madhubani
5. Manager, Punjab National Bank Madhepur P.S.-Madhepur District-Madhubani.
6. C.M.D., Punjab NationalBank, New Delhi.
7. The Union of India through the Secretary Ministry of Micro Small and Middle Industry New Delhi.
8. Secretary Ministry Micro Small and Middle Industry, Govt. of India, New Delhi ... Respondents

==

Appearance :

For the Petitioner	:	Mr. Ebrahim Kabir, Adv.
For the State	:	Mr. Abbas Haider, SC VI
For the Bank	:	Mr. Kumar Priya Ranjan, Adv.

==

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 30-08-2018 Heard the learned counsel for the petitioner, the learned counsel appearing on behalf of the Punjab National Bank and the learned counsel for the State.

2. Petitioner, in the present writ application, has sought a direction to the respondents for grant of loan of rupees five lakhs under the Prime Minister's Employment Generation Programme, which has been approved by the Committee headed by the Collector, Madhubani.

3. Learned counsel for the Punjab National Bank, however, has filed a counter affidavit stating therein that the Committee recommends the names of persons for grant of loan under the Prime Minister's Employment Generation Programme for various types of employment programmes and in the present

case forMasala Udyog. The learned counsel submits that firstly the loan which was to be granted, entitled the Bank to grant loan under the scheme for areas under Madhupur (West) and Pachhi Panchayat whereas the petitioner's operational area is out of service area of the Bank. It has been submitted that the Prime Minister's Employment Generation Programme was a scheme giving employment to educated unemployed youth, but, from the credit score which the respondent-Bank have obtained, it has been found that the petitioner has a bicycle repair shop and has taken a financial loan for commercial vehicle, as contained in Annexure R-5/D to the counter affidavit in which sanction amount of Rs.5,30,000/- also figures. He submits that since the scheme was for giving employment to educated unemployed youth, the petitioner is not entitled for the said loan as the Committee recommends its decision to the Bank, which disburses loan to the eligible candidates under the said scheme. In reply to the said averment made by the respondent-Bank, the counsel for the petitioner has submitted as follows, which is paragraph 6 of the rejoinder :

> "6 . That paragraph 7 is thus also denied to the extent that the board/District Committee approved the loan and the bank only had to be medium also the bicycle

repair shop can not be kept under the category of dignified sufficient employment and also the said loan of vehicle is of private finance which cannot be a ground to deny loan under the said Scheme as from the same whatever income comes goes in installments of the loan and also that the petitioner is a good creditor as he regularly deposits his installments and he has not been a defaulter till date for which his Credit Score can be seen."

4. From the submissions made by the parties, the petitioner has not disputed the fact that he is employed elsewhere and the only ground taken by the petitioner is that since the Committee approved the loan, the Bank has to disburse the same, which, in my view the scheme does not envisage.

5. Hence, the writ application is devoid of merit. It is **dismissed**.

(Nilu Agrawal, J)

Shamshad/-

U			