

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3848 of 2019**

Sau Gaon Mahajan Mukti Samooh Sangh, Through Its President Kashtu Uraon S/o Nohar Sai Uraon Aged About 52 Years, R/o Village Dakwa, Police Station And Tehsil Rajpur Revenue District - Balrampur Ramanujanj Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Home Department Mantralaya Mahanadi Bhawan Capital Complex New Raipur District Raipur Chhattisgarh.
2. Collector, Balrampur, District Balrampur Ramanujanj Chhattisgarh.
3. Chhattisgarh Rajya Gramin Bank Through Its Chairman Chhattisgarh Rajya Gramin Bank Head Office Ambikapur District - Surguja Chhattisgarh.
4. Chhattisgarh Rajya Gramin Bank Through Its Recovery Officer Balrampur District Balrampur Ramanujanj Chhattisgarh.
5. Branch Manager Chhattisgarh, Rajya Gramin Bank Branch Rajpur District Balrampur Ramanujanj Chhattisgarh.
6. Branch Manager Chhattisgarh, Rajya Gramin Bank Branch Bario District Balrampur Ramanujanj Chhattisgarh.
7. Branch Manager Chhattisgarh, Rajya Gramin Bank Branch Deepahdih District Balrampur Ramanujanj Chhattisgarh.
8. Branch Manager Chhattisgarh, Rajya Gramin Bank Branch Rehra District Balrampur Ramanujanj Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Shakti Raj Sinha, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****24/10/2019**

1. The present writ petition has been filed seeking for a direction to the respondents No.3 to 8 to consider the loan account of the petitioner and in terms of the order of the State Government the agriculture loan taken by the members of the petitioner-association is waived.
2. The counsel for the petitioner submits that as early as in the year 2008 the Chief Executive Officer of the District Cooperative Bank

had issued an order for waiving of the agriculture loan taken. He further submits that the petitioner had earlier filed a writ petition before this High Court i.e. WP(PIL) No. 13/2016, which got dismissed on 10.03.2016. The petitioner thereafter approached the Hon'ble Supreme Court vide SLP No. 9014/2017, which was disposed of by the Hon'ble Supreme Court on 02.04.2018 permitting the petitioner to approach the competent authority for redressal of their grievance and in case if the grievance is not redressed, they can move the concerned High Court under Article 226 of the Constitution of India.

3. According to the petitioner, subsequent to the disposal of the petition before the Hon'ble Supreme Court the petitioner-association has moved the concerned Bank from which the members have taken loan seeking for the waiver of the loan in terms of the scheme applicable at that point of time. However, till date no decision has been taken and the respondents have now issued recovery notices against the members of the petitioner-association.
4. Without entering into the merits of the case, this Court particularly taking into consideration the directives given by the Hon'ble Supreme Court on 02.04.2018 would like to entertain the writ petition only to the extent for issuance of an appropriate direction to the respondents No. 3 to 8 to consider the case of the petitioner seeking for waiver of agriculture loan given to its members in terms of the applicable scheme of 2008.

5. The respondents No.3 to 8 are expected to take a decision at the earliest before pressing further with the recovery notices issued against the petitioner.
6. It is made clear that this Court has not expressed any opinion so far as the entitlement of the waivers to the petitioner are concerned. The authorities are expected to take a decision purely in accordance with the Rules, Regulations and scheme applicable upon the individual consumers who have got loan.
7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved