

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16633 of 2019

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Harivansh Narayan Singh S/o Chandar Singh Resident of Sahdullapur
Dhabauli, Bidupur, Vaishali, Bihar- 844502.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Agriculture Production Commissioner, Agriculture Department, Govt. of Bihar, Patna.
3. Bihar Fruit and Vegetable Development Corporation Limited, Uddyan Nursery, Old Secretariat, P.S.- Sachivalaya, District- Patna, through its Managing Director.
4. The Managing Director, Bihar Fruit and Vegetable Development Corporation Limited, Uddyan Nursery, Old Secretariat, P.S. Sachivalaya, District- Patna.
5. The Agricultural Production Commissioner, Chairman, Board of Directors, Bihar Fruit and Vegetable Development Corporation Limited, Vikash Bhawan, Agriculture Department, New Secretariat Building, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ankit Katriar
For the Respondent/s	:	Mr. Lalit Kishore, AG
		Mr. Anshuman Singh

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 31-01-2020 The present petition has been filed by the petitioner for issuance of direction to the respondents to ensure that the funds allocated towards revival of Bihar State Fruit and Vegetable Development Corporation's Hajipur Processing Unit, which has remained unutilized for nine years, on account of



State inaction inasmuch as not only the State is precluded from resiling from its own policy decision taken in greater public interest but also the local farmers as well as the local economy stands to gain manifold in view of the potential it has to offer.

In the counter affidavit filed by the respondents no. 2 & 3, the respondents have clarified that in the meeting dated 14.03.2018, the Board of Directors of the Bihar State Food Vegetable Development Corporation have taken a decision of winding up the Corporation and liquidating the assets and liabilities. The money for reviving the units stands deposited in the State Treasury. This was so done in January/February, 2018 itself and much prior to the filing of the instant petition which was filed in August, 2019.

Faced with such a situation, the learned counsel for the petitioner wanted the Court to intervene, protecting the rights of the agriculturists.

There is nothing before us indicating as to whether the provisions of the Agricultural Produce Marketing Committee and other Agrarian Reforms have not been implemented by the State, as such, no order in that regard can be passed. The prayer made in the instant petition is specific, confining to the revival of the unit in question, which decision



considering the facts, being a policy matter, cannot be reviewed in this proceeding for even otherwise there is nothing on record to establish that such decision is either arbitrary, irrational or illegal.

As such, we dispose of the present petition, reserving liberty to the writ petition to initiate fresh proceedings as desired, in accordance with law.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

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