

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.659 of 2022

1. Sudhir Kumar Son of Late Shiv Bachan Sharma Resident of Village4-Chadhata, P.S.-Main, District-Gaya Present Resident of Mohalla, New Godown Pahsi Lane, P.S.-Kotwali, District-Gaya.
2. Haldhar Sharma Son of Late Chandan Sharma Resident of Village-Chadhata, P.S.-Main, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Registrar Co-operative Department, Bihar, Patna.
2. The Registrar, Co-operative Department, Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya
4. The District Magistrate, Gaya.
5. The District Co-operative Officer, Gaya.
6. The Additional Collector, Gaya.
7. The Bihar State Food and Civil Supply Co-operation through its Managing Director, Bihar, Patna.
8. The District Manger, State Food Co-operation, Gaya.
9. The Chairman, Vayapar Mandal, Belaganj, Gaya.
10. Primary Agriculture Credit Co-Operative Society.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the Respondent/s	:	Mr. Syed Iqbal Ahmad (SC-20) Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 13-05-2022 We have considered it appropriate to reproduce
paragraph 1 of the writ petition wherein the reliefs which



the petitioners are seeking are mentioned :-

“That this is an application for issuance of an appropriate writ(s), order(s), direction(s) directing the respondent authorities to pay Rs. 2,82,000/- to the petitioners No. 1 and 2 against the sale of paddy regarding which though two cheques dated 21.07.2017 amounting Rs. 1,00,000/- and other cheque dated 01.08.2017 for an amount of Rs. 1,82,000/- of Madhya Bihar Gramin Bank, Belaganj, Gaya has been issued but was bounced due to insufficient funds and no payment has been made regarding that till the date and further for a direction to them to pay interest of 18% per annum along with the abovesaid principal amount and further for any other relief(s) for which the petitioners may found entitled to.”

It is evident from the aforesaid paragraph itself that allegedly cheques were issued in favour of the petitioners in 2017 which, according to them, stood dishonoured because of insufficient fund.

There is no averment made in the writ petition that the petitioners have invoked the provisions under the N.I. Act consequent upon the cheques having been dishonoured.

The nature of relief, which the petitioners are seeking in the present writ proceedings under Article 226 of the Constitution, is wholly misconceived. The writ



application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

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