

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2015 of 2022

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Kauriya Primary Agriculture Credit Cooperative Society Limited at Kauriya Panchyat, Haweli Kharagpur, District-Munger through its Chairman Shyam Sunder Singh, male, aged about 63 years, Son of Bhubneshwar Prasad, resident of Village - Khand Bihari, Kauriya, P.S. Haweli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Secretary, Co-operative Department, Government of Bihar, Patna.
3. The Registrar Cooperative Societies, Bihar, Patna.
4. The Bihar State Food and Civil Supplies Corporation Limited (BSFC) Khadya Bhawan, Daroga Prasad Rai Path, Patna, through its Managing Director.
5. The District Magistrate, Munger.
6. The District Cooperative Officer, Munger.
7. The Munger - Jamui Central Cooperative Bank Limited, Munger through its Managing Director.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Rakesh Kumar Jha, Advocate
For the State	:	Mr.S. Raza Ahmad, AAG-5
For BSFC	:	Mr. Shailendra Kumar Singh, Advocate
For the Bank	:	Mr. Bindhyachal Rai, Advocate

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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 The petitioner is a Primary Agriculture Credit Co-operative Society at Kauriya in the district of Munger. It has a grievance that various amounts under the head “Commission and other incidental expenditure” to it pertaining to kharif marketing seasons 2019-20 and 2020-



21 as well as Rabi marketing season 2021-22 are not being fully paid under the procurement drive scheme of the Government.

It is the petitioner's further grievance that because of non-disbursement of the said amount, interest has accrued upon the cash credit granted by the Bank (Respondent No.7).

The petitioner is accordingly seeking a declaration from this Court that the petitioner is not liable to pay interest upon the cash credit subsequent to date of delivery of the procured item to the Bihar State Food & Civil Supplies Corporation Ltd.

In our opinion, this writ application seeking the relief, as noted above, is not maintainable. It is not desirable for this Court to issue a direction exempting the petitioner from payment of interest on cash credit allowed by the Bank. If it has any grievance against the BSFC or the State Government, it shall be at liberty to approach appropriate authority for due disbursement of the amount within the stipulated time. We, at the same time, refrain from commenting upon the petitioner's claim in this regard.



This application stands disposed of with the
aforesaid observation.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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