

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3076 of 2022

=====

Pramod Kumar Thakur (M), aged about 71 years, S/o-Late Ambika Thakur,
Resident of Village-Semra Hat, Anchal and Block-Banjaria, P.S.-Turkaulia,
District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary of Co-operative department,
Government of Bihar at Patna.
2. The Secretary of Agriculture Department, Government of Bihar at Patna.
3. The Regional Manager of the Agriculture Insurance Company of India Ltd.,
Regional Office at Patna.
4. The Regional Manager, State Bank of India at Patna.
5. The Collector of East Champaran.
6. The District Co-operative Officer, East Champaran at Motihari.
7. The Block Development Officer, Sugauli, East Champaran.
8. The Block Development Officer, Banjaria, East Champaran.
9. The Circle Officer, Sugauli, East Champaran.
10. The Circle Officer, Banjaria, East Champaran.
11. The Block Co-operative Officer, Sugauli, East Champaran.
12. The Block Co-operative Officer, Banjaria, East Champaran.
13. The Branch Manager, S.B.I. Branch Fulwariya Ojha, Chhapwa, East
Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar No.1, Advocate
For the Respondent/s	:	Mr.Dhurjati Kr. Prasad, GP-14
For the Insurance Company:		Mrs. Namrata Mishra, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)



Date : 30-09-2022

Petitioner has prayed for the following relief(s):-

“(i) for issuance of an order/orders, direction/directions, writ/writs specially in the nature of Mandamus for provide to insured amount of agriculture compensation to the petitioner whereby and where under the insured amount was not provided to the petitioner after destroying the crops by flood for the year 2015.

(ii) For direction to the concern authority to exercise for fair dealing in the Agricultural Insurance System.

(iii) For any other relief/reliefs for which the petitioners may be entitled in the facts and circumstances of this case.”

Impugned order dated 07.12.2021 stands passed by the District Consumer Forum, Motihari, against which a remedy of appeal is available before the State Consumer Forum under the relevant statute.

We are of the considered view that all questions of fact and law can be expeditiously dealt with by the appellate forum.

As such, the present petition is disposed of, reserving liberty to the petitioner to approach the appellate forum within a period of four weeks from today.



As and when any such petition is preferred, the same shall be decided expeditiously in accordance with law.

Since petitioner has been pursuing the present petition before this Court, the issue of limitation shall not be allowed to come in the way of consideration of such petition on merits.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-DKS

AFR/NAFR	
CAV DATE	
Uploading Date	04.10.2022
Transmission Date	

