

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6488 of 2022

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1. Pushpendra Tivari, Son of Srikant Tiwari, Chini Mill, Buxar, P.S. Buxar Town District Buxar, Proprietor M/S Jai Bajrang Traders, Sikraul Lakh, Buxar.
 2. Sikandar Singh, Son of Raja Ram Singh @ Late Raja Ram Singh, resident of Ward No.-5, Chausa Road, Nai Bazar Akroua P.S. Buxar Town, District Buxar, Proprietor Ma Ambey Enterprises, Buxar.

... .. Petitioner/s

Versus

1. The Principal Secretary, Agriculture Department Government of Bihar, Patna.
2. The Director, Agriculture, Bihar, Patna.
3. The Joint Director (Agronomy-Shashya), Patna Division, Mithapur Agriculture Farm, Patna.
4. The District Agriculture Officer, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Mishra, Advocate
For the Respondent/s	:	Mr.Dhurjati Kr. Prasad, GP 14
		Mr. Ram Shankar Prasad, AC to GP-14

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-06-2022

Petitioners have prayed for the following relief(s):-

“i. A writ in the nature of certiorari or any appropriate writ, order or direction for quashing of office order No. 68/2022 issued vided Memo no. 719 dated 16.03.2022 issued by the District Agriculture Officer, Buxar, whereby and where under in the light of letter no. 1569 dated 16.3.2022 issued by the Director, Agriculture, Bihar the petitioners firm has been black listed and debarred from dealing with Agriculture Department Schemes.

ii. A writ in the nature of certiorari or any other



appropriate writ/order or direction for quashing of letter no. 1569 dated 16.3.2022 issued by Director, Agriculture, Bihar whereby and whereunder the District Agriculture Officer, Buxar was directed to Black list firms of the petitioners and report by 4.00 P.M.

iii. Any other appropriate writ/order or direction which your lordships may deem fit and proper.”

There is a dispute with regard to the excess payment made by the respondent-Department to the petitioners, which prompted the Department to issue the impugned order dated 16.03.2022 (Annexure-9, Page-35).

We notice that the issue can be resolved with the parties sitting together and the petitioners, after reconciliation, repaying the amount received by him in excess of what was due and payable by the respondent-Department to him.

Learned counsel for the respondents states that with the settlement of this issue, the impugned notices can be withdrawn.

As such, we dispose of the present petition on the following mutually agreeable terms:

(a) Petitioners will make themselves available on 22.06.2022 in the office of the respondent No. 3, namely, the Joint Director (Agronomy-Shashya), Patna Division, Mithapur Agriculture Farm, Patna, who shall after examining the record, have the issue of payment resolved within one week thereafter



and also take appropriate action with regard to the withdrawal of the order dated 16.03.2022.

(b) Petitioners, through learned counsel, undertake to pay the amount to the respondent-Department, as found due and admissible by the respondent No. 3 during the process of reconciliation.

(c) Liberty reserved to the parties to approach afresh, should the need so arose.

Present petition stands disposed of.

Interlocutory application, if any, shall also stand disposed of.

Learned counsel for the respondents undertakes to communicate the order to the appropriate authority through electronic mode.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	21.06.2022
Transmission Date	

