

Civil Writ Jurisdiction Case No.14876 of 2024

1. Pravash Kumar S/o- Late Sita Ram Prasad Gupta, R/o- Patori Bazar Pachgachhia, P.S.- Bihra, District- Saharsa.
2. Sikandar Kumar Bajpayee, S/o- Krishna Kant Bajpayee, R/o- Village Bajpayee Dih, Ghanberia, P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Agriculture Department, Govt. of Bihar, Patna.
2. The Director, Bihar Agricultural Management and Extension Training Institute (BAMETI), Patna.
3. The Joint Director (Agronomy), Munger Division, Under Agriculture Deptt., Bihar, Patna.
4. The District Magistrate- Cum Chairman, Governing Body, ATMA, Munger.
5. The District Magistrate- Cum Chairman, Governing Body, ATMA, Jamui.
6. The Project Director- Cum District Agriculture Officer, ATMA, Munger.
7. The Project Director- cum District Agriculture Officer, ATMA, Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar, Advocate

For the Respondent/s : Mr. Standing Counsel (7)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-09-2024 Heard Learned Counsel for the petitioners and
Learned Counsel for the State.

2. The present writ petition has been filed with the following reliefs:-

(i) For quashing the Communication letter bearing Memo No. 33/ BAMETI/ 2022-23 / 371 dt. 05. 09. 2024 issued under the Signature of the Director, BAMETI after approval of the Secretary to the Joint Director (Agronomy) Munger



Division, Munger whereby and whereunder the excess Honorarium paid to the Accountant more than the fixed on 01. 04. 2018 be recovered from petitioners.

(ii) For direction upon the respondents to pay the Honorarium to the petitioners as it was being paid to them before issuance of impugned letter dt. 05. 09. 2024.

(iii) To restrain the respondents from taking any coercive steps including recovery from the petitioners during pendency of the writ application.

(iv) For any other relief/ reliefs to which the petitioners are found entitled.

3. Learned Counsel for the petitioners submits that to fulfill their grievances petitioner No.1 had filed representation before respondent No.6 and petitioner No.2 had filed representation before respondent No.7 (Annexure-P/8 Series). Counsel submits that their representations are still pending. Counsel for the petitioners submits that the hurdle for him is letter No.371 dated 05.09.2024 in which without passing order on their representations a direction has been made for recovery of the amount.

4. Learned Counsel for the State submits that since representation has been pending, therefore, a direction may be



given to the concerned respondents to pass order on the representation of the petitioners.

5. In the light of the submissions made, this Court is of the firm view that the concerned respondents ought to pass order on the representations filed by the petitioners. Therefore, it is directed that respondent No.6 shall pass order on the representation of petitioner No.1 and respondent No.7 shall pass order on representation of petitioner No.2 within 90 days from the date of receipt/production of a copy of this order.

6. In the meantime, the order dated 05.09.2024 (Annexure-1) shall be inoperative.

7. With this observation and direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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