

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16121 of 2023

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Sanjay Kumar Singh Son of Dev Narayan Singh, resident of village -
Basantpur, Police Station - Itarhi, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Agriculture Department,
Bihar, Patna.
2. The Director, Directorate of Agriculture, Government of Bihar, Patna.
3. The District Agriculture Officer, Buxar, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Parijat Saurav, Advocate
For the Respondent/s : Mr.Sarvesh Kumar Singh (Aag 13)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-05-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1. For issuance of a writ in the nature of
Certiorari or any other appropriate writ or
order for quashing of orders issued in letter no.
271 dated 09/02/2019 and letter no. 1174 dated
31/07/2019, both issued by the District
Agriculture Officer, Buxar, the respondent no. 3
refusing to release the claim of the petitioner
for agriculture subsidy of Rs. 4,00,000/- (Rs.
Four lacs only) for his purchased Combined
Harvester (self propelled) machine, and further
be pleased to issue a writ in the nature of
Mandamus or any other appropriate writ or
order for directing the respondents especially
the respondent no. 3 to release and pay Rs.*



4,00,000/- (Rs. Four lacs only) as the agriculture subsidy to the petitioner alongwith the interest.”

2. At the outset, the learned counsel for the petitioner submits by referring to the letter dated 09.02.2019, written by the District Agriculture Officer, Buxar, to the petitioner and one another person, namely, Rakesh Kumar Singh, that by the said letter dated 09.02.2019, though it has been admitted that the petitioner and the said person, namely, Rakesh Kumar Singh have purchased combined harvester, during the financial year 2017-18, however, the claim of the petitioner and the said Rakesh Kumar Singh, pertaining to payment of subsidy amount, has been rejected on a hyper-technical ground, to the effect that the bank has sanctioned loan amount prior to sanction of the subsidy amount by the department. It is pointed out that the case of the aforesaid Rakesh Kumar Singh was allowed by a learned Division Bench of this Court, vide order dated 13.07.2022, passed in CWJC No.13702 of 2021, whereby and whereunder, the respondents have been directed to release the agricultural subsidy amount to the tune of Rs.4,00,000/-, to the said person, namely, Rakesh Kumar Singh and the present case is also squarely covered by the said order dated 13.07.2022.

3. The learned counsel for the respondents has not



been able to dispute the fact that the order dated 13.07.2022, passed in the case of Rakesh Kumar Singh (Supra), by the learned Division Bench of this Court, squarely covers the present case.

4. Having regard to the facts and circumstances of the case and considering the fact that the present case is squarely covered by the order dated 13.07.2022, passed by the learned Division Bench of this Court in the case of Rakesh Kumar Singh (Supra), I deem it fit and proper to direct the respondents to release the agricultural subsidiary amount of Rs.4,00,000/- to the petitioner, forthwith.

5. The writ petition stands allowed.

(Mohit Kumar Shah, J)

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