

W.P.A. 7631 of 2021

**Bisheshwar Biring & Ors.
Vs.
Agricultural Development Officer (ADO) & Ors.**

Sk. Anwar Ali
...for the petitioner

**Mr. Srijan Nayak
Mr. Ankit Sureka
Mr. P.S. Pal**
...for the State

**Mr. D.K. Sengupta
Ms. Sweta Saha**
...for the respondent no. 3

Mr. Uttam Kr. Bhattacharyya
...for the respondent no. 2

Petitioners are claiming to be the members of Dantunia Krishi Samabay Unnayan Samiti being respondent no. 1 who made an application for getting benefit of insurance scheme due to loss of crop in the year 2020 and such application was made on 14th September, 2020 to the Manager of the aforesaid Samiti.

Primarily this Court was under impression that due to loss of crop for the cyclone Bulbul which struck in the month of November, 2019 petitioners are claiming benefit of insurance scheme, but today it has been submitted by the learned advocate representing the said society that there is no insurance scheme based on which benefits can be extended to the members of the said society for loss of crop due to cyclone Bulbul.

However, it is also submitted on behalf of said society that every year due to damage of crop benefits are extended under the insurance scheme to the members of the aforesaid society on making application within certain time along with necessary credentials. It is further submitted that though an application dated 14th September, 2020 was made by the petitioners before the manager of the said society as it appears from page 8 of the writ petition but due to non submission of credentials by the petitioners their claim could not be processed under the relevant insurance scheme.

Bank authority is also represented by the learned advocate who submits that bank has no role to play in this matter since the claim of the petitioners were not forwarded by the said society to the bank.

Since an application has been filed as it appears from page 8 of the writ petition by the petitioners who are claiming to be the members of the said society leave is granted to the petitioners to submit their requisite credentials before the manager of the said society being respondent no. 2 within three weeks from date in support their application dated 14th September, 2020. If the petitioners submit their credentials being the members of the said society then the concerned authority of Dantunia Krishi Samabay Unnayan Samiti is directed to process the claim of the petitioners and forward the same to the Branch Manager, Oriental Insurance

Company Private Limited, Khudiram Nagar, Paschim Midnapore being respondent no. 4, if the same is permissible in terms of the said insurance scheme. In the event of permissibility of allowing application of the petitioners based on credentials to be submitted by them within the aforesaid time the Manager, Dantunia Krishi Samabay Unnayan Samiti shall forward the claims within two weeks thereafter to the respondent no. 4 for making necessary payment.

In the event such claim is processed by the society and forwarded to the respondent no. 4 the said respondent no. 4 would take steps in accordance with the scheme for extending the benefit to the petitioners.

With the aforesaid directions, the writ petition stands disposed of.

Reports filed on behalf of bank authority as well as the society are also taken on record.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)