

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12597 of 2017

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Suresh Pandit Son of late Ramjee Pandit Resident of Village Horilla, P.S.
Rajauli District Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary-cum-2nd Appellate Authority Animal Husbandry and Fisheries Resources Department Bihar, Patna Having his office at Old Secretariat, Patna.
2. The Additional /Joint /Special Secretary- Cum-Ist Appellate Authority Animal Husbandry and Fisheries Department, Bihar Patna having his office at Old Secretariat, Patna
3. The Departmental Public Grievance Redressal officer, Animal Husbandry and fisheries Resources Department Bihar, Patna Having his office at Old Secretariat, Patna.
4. The Director, Dairy Development Directorate, Animal Husbandry and Fisheries Resources Department Bihar, Patna, having his office at Old Secretariat, Patna
5. The District Officer-Cum-Collector, Nawada.
6. The District Dairy Development Officer, Nawada.
7. The Branch Manager, -cum-Nodal Officer, Punjab National Bank, Budha Colony, Branch, Patna.
8. The Branch Manager, Punjab National Bank, Rajauli, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Sinha, Advocate
For the Respondent/s	:	Mr.Dhurjati Kumar Prasad, GP-14
	:	Mr. Mritunjay Kumar, Advocate
	:	Mr. Ram Ganesh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 24-06-2025

1. The Writ petition is filed to quash the
order dated 25.05.2017 passed by Respondent No. 1
in 2nd Appeal No. 999950104071600153/2A dated



03.03.2017 filed by petitioner as well as for quashing the letter No. 620 dated 13.04.2017 issued by the 4th respondent to the petitioner whereby both the respondents refuted to disburse the amount of grant on the acceptance-cum-sanctioned loan on dairy project of the petitioner, which was given to the petitioner under Composite Dairy Development plan in F.Y. 2013-14.

2. The petitioner claims to be a poor animal animator and with an intention to flourish his business of animal husbandry under the Composite Dairy Development Program, for the financial year 2013-14, a loan amount of Rs. 5,00,000/- was sanctioned in his favour. The above said loan amount was disbursed to the petitioner's bank account bearing No. 091900 S.B. 0000615 at Punjab National Bank, Rajauli Branch, Nawada on 27.01.2014. At the time of sanctioning of the loan, the District Dairy



Development Officer/6th Respondent assured the petitioner that 50% of the sanctioned loan amount would be returned to the bank with interest. The petitioner understood the scheme, agreed for the same and accepted the sanctioned loan and accordingly purchased 10 cows and started business under the name and style of "Suresh Diary". On 05.09.2014 the bank officials sent claim bill for disbursement of the grant amount to the office of the District Dairy Development Officer (Respondent No. 6). On receipt of the claim bill of the petitioner, the technical employee of the said office, namely, Vijay Kumar, Dairy Field Officer conducted physical verification of dairy unit. On the basis of physical verification, vide letter No. 338 dated 24.11.2014, the 6th respondent's office forwarded a counter signed claim bill to the Nodal Bank for disbursement/allocation of grant amount in favour of



the petitioner. Further the petitioner approached 6th and 7th respondents for the sanction of his subsidy amount, but no satisfactory reply was given by them. Thereafter, the 4th respondent addressed a letter vide letter no. 687 dated 11.05.2016 to the 6th respondent and sought for a report about the claim of petitioner. Pursuant to it, the 6th respondent sent a reply to the 4th respondent vide letter no. 164 dated 25.05.2017 narrating all the facts related to the grievance of the petitioner. The petitioner also filed a representation before the Public Grievance Cell of Chief Minister's Secretariat. The said complain was forwarded to the 6th respondent calling for a report. The petitioner also filed a complain bearing no. 999950104071600153 dated 07.04.2016 before the Departmental Public Grievance Redressal Officer, Animal Husbandry and Fisheries Department regarding non-payment of grant on loan under composite Dairy



Development Plan. On 24.08.2016, the complaint was heard and an order was passed whereby the 6th respondent was directed to disburse, the grant amount to the petitioner in accordance with law. Due to noncompliance of the order dated 24.08.2016, the petitioner preferred a First Appeal before the Animal Husbandry and Fisheries Department-cum-First Appellate Tribunal. The said appeal was fixed for hearing on 03.02.2017. On the said date 6th respondent was present and after hearing, a detailed order was passed directing the 6th respondent to disburse the grant amount to the petitioner. In compliance of the order dated 03.02.2017 passed by the First Appellate Tribunal, the 6th respondent addressed a letter to the Director, Dairy Development Directorate i.e. the 4th respondent/requesting to release the grant amount. On receipt of the order dated 03.02.2017 of the First



Appellate Tribunal, the 4th respondent was directed to take necessary action for disbursement of the amount.

3. The content of the Writ petition further disclose that the 6th respondent has stated that the unutilized remaining grant amount for the financial year 2012-13 under the Composite Dairy Scheme has already been returned to the parent Department. In compliance of the implementation order the remaining amount was deposited through challan in government treasury.

4. Being aggrieved by the non-compliance of the order dated 03.02.2017, the petitioner preferred a second Appeal before the Principal Secretary, Animal Husbandry Department-cum-Second Appellate Tribunal. On 17.03.2017, an interim order was passed directing the 4th respondent to take necessary steps from departmental level to grant



amount to the petitioner. The Second Appellant Authority finally heard the appeal on 25.05.2017 and after considering the records available, gave a finding that the unutilized remaining amount had already been refunded to the department, for which a direction was issued to the implementation officer to return the unutilized remaining amount under the said Scheme and the said fact was also communicated to the petitioner. As the amount of grant, under said Scheme could not be made available to establish the Dairy Unit of the petitioner, the appeal was disposed of, which is under challenge in the present Writ petition.

5. A detailed counter affidavit was filed by respondent no. 1 to 4 and 6. The counter affidavit disclose that under Samagra Gavya Vikash Yojna the subsidy amount for financial year 2012-13 was allocated to the District Magistrate, Nawada. The



petitioner has purchased 10 cows after obtaining a loan from Punjab National Bank, Rajauli Branch. On 05.09.2014 the Branch has addressed letter to the District Dairy Development Officer for release of subsidy amount of Rs. 2,50,000/-. After physical verification the Dairy Development Officer, Nawada on 24.11.2014, requested the Branch Manager, Punjab National Bank, Rajauli to provide countersign bill and other relevant documents for grant of subsidy amount.

6. The counter affidavit further disclose that the Branch Manager, Punjab National Bank, Rajauli has not sent any counter signed bill or other required documents as requested on 24.11.2014. In the meantime, on 05.08.2015, the Secretary, Government Animal and Fish Resource Department vide letter No. 1197 had directed to return the unutilized subsidy amount and in compliance of the



guidelines issued by the District Dairy Development by various letters dated 10.03.2018, 16.04.2015, 27.05.2015 and 04.06.2015 the Department requested all the banks of the district including Punjab National Bank to forward the pending bills for payment for the financial year 2012-13. In spite of it, the Department has not received any bill from Punjab National Bank. The counter affidavit further disclose that direction was issued to return the unutilized subsidy amount by 15.08.2015 and as the Banks did not provide any required documents including the countersign bill, the District Dairy Development Officer then returned the unutilized subsidy amount to the Dairy Director, Bihar, Patna on 17.12.2015 vide letter no. 355.

7. it is specific contention of the Learned counsel for the petitioner that initially the subsidy amount was sanctioned to the petitioner's dairy



farm. However, the sanction letter was annexed to the Writ petition nor any other supporting document was filed before the Court. The contents of the Writ petition do not disclose on which date subsidy amount was granted to him.

8. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

9. On perusal of the entire record, it is evident that the counter signed bill, signature and relevant documents was not forwarded by the respondents-Bank to the District Dairy Development Officer and therefore, the unutilized amount were returned by the Department to the Government, pursuant to 15.12.2015. Admittedly, there is no document on record to prove that any subsidy amount was sanctioned to the petitioner. If at all, the petitioner has any grievance, he is at liberty to



challenge the inaction of bank authorities, for not forwarding countersigned bill to the Department for which he sustained loss in the business.

10. In view of the aforesaid discussion, this Court finds no merit in the Writ petition. Accordingly, the Writ petition is dismissed as it is devoid of merits.

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.07.2025
Transmission Date	N/A

