

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2379 of 2017**

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1. Suresh Prasad Singh Son of Late Hiranand Singh, Resident of Village-P.O.-Gaonpur, P.S.-Ujiarpur, District-Samastipur.
2. Sitaram Choudhary, Son of Late Rajnarayan Chaudhary, Resident of Village-Nima Chakhaider, P.O.-Janardanpur, P.S.-Chakmehsi Kalyanpur, District-Samastipur.
3. Most. Sita Devi Wife of Late Yogendra Ram, Resident of Village-P.O. Laguniya Suryakanth, P.S.-Samastipur, District-Samastipur.
4. Kedar Mahto, Son of Late Narayan Mahto, Resident of Village-Batardiha, P.O.-Ujjan, P.S.-Bithan, District-Samastipur
5. Shivji Ram, Son of Late Jhingur Ram, Resident of Village-Babupur, P.O.-Kishanpur P.S.-Warisnagar, District-Samastipur
6. Murari Singh, Son of Rameshwar Singh, Resident of Village-Belari, P.O.-Belari, P.S. Ujjiarpur, District-Samastipur.
7. Pawan Kumar, Son of Sri Yadunandan Bhagat, Resident of Village-Bhagwatpur Baripura, P.O.-Bajitpur, P.S.-Sarairanjan, District-Samastipur
8. Awadhesh Prasad Singh, Son of Late Maheshwar Singh, Resident of Village-Chak Ahlebad, P.O.-Akhtiyarpur, Khajauri, P.S.-Ghatho, District-Samastipur.
9. Md. Anjar Hussain, Son of Md. Usman, Resident of Village-Bakhri Bujurg, P.O.-Rupauli Bujurg, P.S.-Musrigharari, District-Samastipur.
10. Abhay Kumar, Son of Late Jaynarayan Ray, Resident of Village-P.O. Mordiba, P.S.-Muffasil, District-Samastipur.
11. Sunil Kumar, Son of Late Rajeshwar Mahto Resident of Village-P.O.-Bajitpur, Maiyari, P.S.-Sarairanjan, District-Samastipur
12. Ashok Kumar Chaudhary,' Son of Late Ramballabh Chaudhary, Resident of Village-P.O. Kashiyan, P.S.-Rosera Shivji Nagar, District-Samastipur.
13. Manorama Devi, Wife of Vijay Sahni, Resident of Village-Sajanpur, P.O.-Kishanpur, P.S.-Warisnagar, District-Samastipur.
14. Shyam Sundar Mahto, Son of Late Gopi Mahto, Resident of Village P.O. Satmalpur, P.S.-Warisnagar, District-Samastipur.
15. Gita Devi, Wife of Mahabir Sahni, Resident of Village-P.O.-Barhetta, P.S.-Kalyanpur, District-Samastipur.
16. Dharmendra Kumar, Son of Pradip Kumar , Resident of Village-Rajajan, P.O.-Rajajan, P.S. Mohiuddin Nagar, District-Samastipur.
17. Ramjappu Paswan, Son of Late Sumrit Paswan, Resident of Village-Dhakjari, P.O.-Taura, P.S.-Singhia, District-Samastipur
18. Ramdev Mahto, Son of Late Lakhan Mahto, Resident of Village-Mizarapur



Bhatarar, P.O.-Malinagar, P.S.-Rosera, District-Samastipur.

19. Ranjeet Kumar Sharma, Son of Late Sindhu Shekhar Sharma, Resident of Village-P.O.Dharmagatpur, Bathua, P.S.-Pusa, District-Samastipur
20. Ram Narayan Singh, Son of Late Baleshwar Singh, Resident of Village-Ilmasnagar, P.O.-Ilmasnagar, P.S.-Khanpur, District-Samastipur
21. Dhanik Lal Ram, Son of Budhu Ram, Resident of Village-P.O.-Khanpur, P.S.-Khanpur, District Samastipur
22. Ram Pukar Mandal, Son of Late Lal Chand Mandal Resident of Village-Sinhauli, P.O.-Shripur Gahar, P.S.-Khanpur, District-Samastipur.
23. Kamal Kant Roy, Son of Late Janardan Singh, Resident of Village-P.O.-Mohanpur, P.S.-Pattori, District-Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Deputy Development Commissioner Samastipur.
3. The District Magistrate, Samastipur
4. The District Agriculture Officer, Samastipur.
5. The Block Agriculture Officer, Samastipur
6. The Director, BREDA, Patna

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr. Sunil Kumar, Adv                |
| For the Respondent/s | : | Mr. Jay Prakash Sharma, AC to GP-21 |

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

4      16-04-2025

Heard learned counsels for the parties.

**2.** In the present writ application, the petitioners have prayed for the grant of following reliefs:-

*(i) For setting aside letter no. 2330/Agri. Dated 26.11.2016, issued by the respondent District Agriculture Officer, Samastipur who sought for the additional demand of Rs. 40,250/- per unit for financial period 2016-17 while the farmers-petitioners*



*already have earlier deposited Rs. 27,000/- per unit for financial period of 2014-15 for same installation of solar water pump under scheme of “Mukhya Mantri Nawain aur Nawikaraniya Urja Yojana” which is not correct and illegal and pass any other order/orders direction/directions as your lordships may deem fit and proper.*

3. Learned counsel for the petitioners submits that the petitioners are farmers of different blocks under Samastipur District. Fifty farmers under Samastipur District were selected for installation of solar water pump for the financial year 2014-2015 under the “Mukhya Mantri Nawain aur Nawikaraniya Urja Yojana”. Under the said scheme, these fifty farmers which includes the petitioners were asked to deposit demand draft of Rs. 27,000/- each in the name of BREDA, Patna (Bihar Renewable Energy Development Agency), which the petitioners deposited for the purpose of installation of solar water pump. This is acknowledged by the District Magistrate, Samastipur in his letter dated 24.11.2015 addressed to the Director, BREDA, Patna. However, despite depositing the money in question, the solar water pumps were not installed and subsequently, vide impugned letter bearing no. 2330 dated 26.11.2016, it was decided that since in the earlier scheme, the tender could not be



finalized and also the approval of the Government of India could not be made, therefore, a new scheme for the financial year 2016-2017 was floated/announced under which the contribution per farmer stood increased from Rs. 27,000/- to Rs. 67,250/- and hence, the petitioners were asked to deposit the difference amount of Rs. 40,250 or otherwise they would be returned the money i.e. Rs. 27,000/- which they had earlier deposited. The petitioners feel aggrieved by this action of the respondents-State and hence, the petitioners have filed this writ application challenging the extra demand of Rs. 40,250/- being made for installing the solar water pumps. The petitioners humbly submit that the respondents-State should install the solar water pumps without demanding any extra money or it should return the money of the petitioners (beneficiaries) with interest because the present situation has arisen for no fault of the petitioners/beneficiaries.

4. Per contra, the learned counsel for the respondents-State submits that they are ready to return the money i.e. Rs. 27,000/- per farmer which had been earlier deposited by all the petitioners but the respondents-State are resisting from paying interest of the same. The respondents-State are also not willing to install the solar water pumps without demanding any extra



money.

5. The farmers are the backbone of this country and any beneficiary scheme which is announced in their favour must be carried out to their benefit and interest. In the facts and circumstances of the present case, it is absolutely clear that the petitioners (farmer-beneficiaries) are not at fault and in fact, it is because of the inefficiency and/or deficiency on part of the respondents-State that the farmers have had to suffer. Rs. 27,000/- was taken from each of the farmers which is a huge amount for any farmer and till today, the respondents are sitting tight over the said money and have not bothered to return the same which they ought to have done. This Court is, therefore, of the view that not only the respondents-State should return the money i.e. Rs. 27,000/- per farmer which they have collected earlier but they should also pay 6% interest on the same from the date of deposit upto the date of payment.

6. Since the matter relates to the year 2014-15 and the money has been lying with the respondents-State/its agencies for more than ten years, therefore, direction is given to return the money with interest as directed above and this should be carried out within one month from today.

7. With the aforesaid observation and direction, the



present writ application stands disposed of granting relief to the petitioners to the extent indicated above. Interlocutory application, if any pending, will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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