

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13334 of 2025

Abhay Kumar S/o Late Sadhucharan Rai, R/o Village-Sonvarsha, P.S-Shivsagar, District-Rohtas Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Animal and Fisheries Department, Government of Bihar, Patna.
2. The District Animal Husbandry Officer, Rohtas at Sasaram.
3. The Dairy Field Officer, Rohtas at Sasaram.
4. The Regional Officer, Madhya Bihar Gramin Bank, Regional Office, Rohtas at Sasaram.
5. Branch Manager, Madhya Bihar Gramin Bank, Branch-Shivsagar, Rohtas.
6. The District Comprehensive Cow Development Office, Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the Respondent/state : Mr. Sunil Kumar Mandal, Standing Counsel (03)
Ms. Neelam Kumari, AC to SC 3
For the Respondent No. 4 & 5: Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-12-2025 1. Heard the parties.

2. The petitioner has filed the present writ application for a direction to the respondents more particularly to respondent no. 6 - District Comprehensive Cow Development Office, Sasaram to release the subsidy amount to the concerned Bank in the loan account of the petitioner in accordance with the applicable provisions of the Comprehensive Cow Development Scheme. It has further been prayed that the respondent – Bank be directed to deduct the sanctioned subsidy amount from the total loan liability and thereafter recalculate the outstanding amount



payable by the petitioner.

3. The brief facts giving rise to the present writ application is that the petitioner applied for the loan under the scheme for dairy farming in the Dakshin Bihar Gramin Bank, Shivsagar Branch for Rs. 5 Lakh. After verification of the documents and other things the petitioner was found eligible for the loan and accordingly the Bank sanctioned loan of Rs. 5 Lakh to the petitioner. The District Animal Husbandry Officer, Rohtas issued a letter bearing no. 341 dated 07.10.2013 to the Regional Officer, Gramin Bank, Sasaram. The District Animal Husbandry Officer, Rohtas forwarded the loan details and the application form of the petitioner to the Branch Manager for necessary action. After verification of all credentials and completion of formality loan amount of Rs. 5,00,000/- was sanctioned and approved in favour of the petitioner. The Branch Manager of the Gramin Bank issued a letter dated 10.03.2015 bearing no. 233 / 2014-15 to the District Dairy Development Officer, Rohtas at Sasaram regarding the purchase of milk yielding (milch) animals by the beneficiaries under the Intensive Dairy Development Programme scheme. The letter also included or referred to a list of selected beneficiaries in which the name of the petitioner was duly mentioned for the purchase of milch



animals under the said scheme. Thereafter the petitioner purchased a total of ten milch cows from two different animal fairs on two separate occasions. On 19.03.2015 he purchased five cows from one Gani Miya at the animal fair held at Thanua, Rohtas, Sasaram. Subsequently, on 19.07.2016 the petitioner purchased another five cows from one Dhirendra Kumar for Rs. 35,000/- each at Keshav Virat Animal Fair held at Baraun in the district of Aurangabad.

4. Mr. Jai Prakash Singh, learned counsel for the petitioner argued that as per scheme of grant of subsidy dated 24.05.2013 annexed at Annexure -P/2 the petitioner was entitled for an amount equivalent to 50% of the value of the cows purchased as subsidy. The petitioner purchased the cows worth about Rs. 3.50 lakh as such he is entitled for the subsidy amount of 50% for the value of the cows. The Branch Manager of Shivsagar Branch, Rohtas issued a letter bearing no. 252 / 2014-15 dated 26.03.2015 to the District Animal Husbandry Officer, Rohtas regarding submission of the petitioner's claim form for release of the capital grant under Comprehensive Cow Development Scheme. Under the said scheme financial assistance was sanctioned in favour of the petitioner for establishment of a unit comprising ten milch cows. The petitioner duly submitted his



claim voucher before the District Comprehensive Cow Development Office, Sasaram seeking release of the capital grant under the Comprehensive Cow Development Scheme. The petitioner prayed that a sum of Rs. 2,50,000/- be sanctioned and disbursed as capital subsidy in his favour. He further submits that Branch Manager of the Shivsagar Branch vide his letter dated 18.07.2016 bearing no. 77/2016 requisitioned the District Animal Husbandry Officer, Rohtas regarding the resubmission of the claim voucher for release of the subsidy or capital grant in favour of the petitioner under the Comprehensive Cow Development Scheme. When the subsidy amount was not paid to the petitioner, he filed a detailed representation before the authorities on 17.02.2023 and 16.08.2023.

5. Mr. Sunil Kumar Mandal, learned counsel appearing for the State referring to the counter affidavit submits that that as per the letter dated 10.03.2015 annexed at Annexure-P/5 to the writ petition the cows were to be purchased on 17.03.2015 but the petitioner knowingly and willingly did not purchase cows on 17.03.2015 rather behind the knowledge of the Department cows were purchased on 19.03.2015 without any information against the clear direction of the department. The cows were



purchased against the guidelines. The cows were to be purchased in presence of veterinary doctor, insurance authority and District Development Officer but the petitioner purchased the cows himself against the guideline and since the cows were not purchased lawfully as such subsidy was not sanctioned and given under the scheme, however, the scheme was closed on 15.08.2015 as such any cow purchased on 19.07.2016 has no relevance.

6. I have heard learned counsel for the petitioner, State and the Bank. From perusal of the scheme at Annexure-P/2 it appears that there was a Comprehensive Cow Development Scheme under which loan was to be granted in which almost 50 % subsidy was to be provided by the Animal and Fisheries Department, Government of Bihar as per the guidelines. The claim of the petitioner that despite the purchase of cows during the subsistence of the guideline / Comprehensive Cow Development Policy, the subsidy amount has not been credited by the respondent -State authorities in the loan account / bank account of the petitioner. Admittedly loan was sanctioned and disbursed to the petitioner worth about Rs. 5,00,000/-. Out of ten cows, five cows were purchased on 19.03.2015. From perusal of page no. 41 of the writ petition it appears that



purchase of five cows were duly certified by the veterinary doctor, insurance authority and District Cow Development Officer. The argument advanced by learned counsel for the State is that for a beneficiary to be eligible for subsidy the purchase must be in presence of and / or certified by veterinary doctor, insurance authority and District Cow Development Officer.

7. Insofar as five cows are concerned, it appears that the same were purchased before the closure of the scheme and was duly certified by various authorities and the other five cows which were purchased as claimed by the petitioner on 19.07.2016 does not bear any certificate or approval of the concerned authorities. The scheme came to an end on 15.08.2015 and as per the admission of the petitioner five more cows were purchased on 19.07.2016.

8. Considering the rival submissions of the parties and the aforesaid discussions this Court comes to the conclusion that five cows were purchased by the petitioner prior to closure of scheme of subsidy and purchase of five cows made by the petitioner was duly certified by the concerned authorities.

9. Accordingly, I hold that the petitioner is entitled to be given subsidy at the rate 50% of the price of cows. The price of the cow comes to Rs. 1,75,000/- as such as per the scheme of



subsidy the petitioner is entitled to be given Rs. 87,500/- as subsidy amount. The petitioner in the circumstances is not entitled to be given any subsidy for purchase of another five set of cows after expiry of the scheme on 19.07.2016.

10. Resultantly, the State authorities particularly the respondent no. 6 are directed to pay subsidy amount of Rs. 87,500 /- to the petitioner in his loan account within a period of two months from today. The Bank in turn is directed to adjust the subsidy amount deposited in the account of the petitioner by the respondent -State authorities and after recalculating the outstanding dues demand notice be issued to the petitioner for re-payment of the loan amount at the earliest.

11. With the aforesaid observation and direction, this writ petition is disposed of.

(Anil Kumar Sinha, J)

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