

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 713 of 2021

Krishak Bij Utpadak Samiti, Palkot, Gumla, represented by its Secretary, Mukesh Thakur @ Mukesh Kumar Thakur Petitioner

Versus

1. The State of Jharkhand
2. The Secretary, Department of Agriculture, Animal Husbandry and Co-operative, Government of Jharkhand, Ranchi
3. The Director, Department of Agriculture, Animal Husbandry and Co-operative, Government of Jharkhand, Ranchi
4. The Deputy Director, Agriculture (Planning), Agriculture Directorate, Ranchi, Jharkhand
5. The District Agriculture Officer, Gumla Respondents

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HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: None

For the State: None

02/20.04.2021 The case is taken up through Video Conferencing.

It has been informed to this Court that in view of the resolution as contained in Reference No. 1165-1201/2021 dated 18.04.2021 passed by the Jharkhand State Bar Council, the learned lawyers of this Court, District Courts, Sub-Divisional Courts, Tribunal and all other Courts in the State of Jharkhand will refrain themselves from all Court works for next seven days in the wake of second wave of Covid-19 pandemic.

No one appears on behalf of the parties.

The present writ petition has been filed for issuance of direction upon the respondents to pay an amount of Rs.13,30,446/- along with the statutory interest to the petitioner towards supply of the paddy seeds (Kharif season) for the year 2015-16 pursuant to memo No. 1820A dated 28.05.2015 issued by the respondent No.3 as the said payment has not been made to it despite several representations made before the respondent authorities of the State of Jharkhand.

The case of the petitioner, as stated in the present writ petition, is that it is a society registered under the Societies Registration Act, 1860. The Inspector General (Registration), Government of Jharkhand had issued a certificate to that effect to the petitioner vide Registration No. 1497 dated 31.03.2012. The

respondent No.3, vide memo No. 1820A dated 28.05.2015, directed the petitioner to supply the paddy seeds (Kharif season) for the year 2015-16 to the farmers of the State of Jharkhand. After supply of 962 quintals of paddy seeds for an amount of Rs.13,30,446/-, the petitioner claimed payment of the same from the concerned department. Pursuant to the direction of the respondent No.3 vide memo No. 1336 dated 29.03.2016, the respondent No.5 enquired the said supply made by the petitioner to six LAMPS and submitted report vide memo No. 236 dated 28.03.2017 stating that the petitioner supplied total quantity of 962 quintals of paddy seeds (Kharif season) for the year 2015-16 to the farmers through said LAMPS and the department might sanction allotment for the same so that payment could be made to the petitioner. However, except the intra-departmental communications between the authorities, no effective action was taken for payment of the same to the petitioner. The petitioner also filed representations before the respondent authorities including the representations dated 19.12.2017 & 20.01.2021 (Annexure- 6 & 6/1 to the writ petition) made before the respondent No.5, however, till date no step has been taken by the respondents in this regard. Hence, the present writ petition.

Having heard learned counsel for the parties and keeping in view the nature of the prayer made by the petitioner in the present writ petition, without entering into the merit of the case, the petitioner is given liberty to prefer a fresh representation along with the relevant documents before the respondent No.2 on the present issue. On receipt of such representation, the respondent No.2, after providing due opportunity of hearing to the representative of the petitioner, shall take appropriate informed decision within a period of one month from the date of filing of the said representation.

The present writ petition is accordingly disposed of with the aforesaid liberty and direction.