

Court No. - 47

Case :- WRIT - C No. - 41899 of 2023

Petitioner :- Anil Gaur

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Shivasare

Counsel for Respondent :- C.S.C.,Rameshwar Prasad Shukla

Hon'ble Manish Kumar Nigam,J.

1. Heard learned Counsel for the parties and perused the record.

2. The present petition has been filed for the following relief:

"a). To issue a writ, order or direction in the nature of mandamus commanding and directing the Respondent no.3 to decide the application dated 24.08.2022 submitted by the petitioner before Sub Divisional Officer, Tehsil Mehnagar, District Azamgarh within stipulated time as fixed by this Hon'ble Court."

3. Contention of learned Counsel for the petitioner is that in pursuance to an advertisement for grant of fisheries, the petitioner moved an application but the proceedings have not been completed. Since, no right has been accrued to the petitioner as he is merely an applicant to an advertisement, no direction can be issued to the respondents to complete the auction proceedings and it is the respondents who have to decide whether to auction the pond or not.

4. In view of the above, I am not inclined to interfere in the matter.

5. Accordingly, the writ petition is **dismissed** with liberty to the petitioner in case, the respondent proceed to complete the auction proceedings or re-advertise the fisheries rights, the petitioner will be entitled to participate in the same.

Order Date :- 5.12.2023

S. Singh