

Court No. - 9

Case :- WRIT - C No. - 5158 of 2023

Petitioner :- Matsya Jivi Sahkari Samiti Ltd. Hardoi Thru. Its
Chairman In Charge Rajendra

Respondent :- State Of U.P. Thru. Secy. Deptt. Of Revenue Civil
Secrt. Lko. And Others

Counsel for Petitioner :- Vishun Narain

Counsel for Respondent :- C.S.C., Dilip Kumar Pandey

Hon'ble Dinesh Kumar Singh, J.

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Heard learned counsel for the petitioner and learned Standing Counsel appearing for the State-respondents.

2. The present petition under Article 226 of the Constitution of India has been filed seeking following reliefs:-

"i. Issue a writ, order or direction in the nature of Mandamus commanding the opposite parties to permit the petitioner catching the fish from Pond Gata No.221/0110 H, 279/12.508 H. Gata No.33/2.900H, Gata No.341/0.350H, Gata No.343Ka/1.77H, Gata No.1815/0.289H, Gata No.1837/2.8/8/0 H and Gata No.1838/0.240H, I Total 10 numbers Total area 21.790H Nandna Talab, situated at Alipur Tandwa, Post Bhatauli, Block-Behandara, Tehsil-Sandila, District-Hardoi.

ii...

iii..."

3. The prayer made in the present petition is in fact against a private person. However, learned Counsel for the petitioner submits that the petitioner has given several applications before the concerned authorities including the District Magistrate, Hardoi and Sub Divisional Magistrate, Sandila but no action has been taken on his applications despite the petitioner is depositing the lease amount of Rs.6,00,000/- per year and the agreement being valid up to 2025. He further submits that respondent No.8 is not allowing the petitioner to carryout the fisheries of the pond allotted to him with the collusion of some government officials.

4. Considering the aforesaid facts, the petitioner is directed to approach the Sub Divisional Magistrate, Sandila with an appropriate application within a period of three days from today. The Sub Divisional Magistrate, Sandila shall ensure the petitioner to carryout fisheries over the pond land allotted to him, if there is no other legal

impediment.

5. With the aforesaid observations/directions the present petition stands finally **disposed of**.

(Syed Qamar Hasan Rizvi, J.) (Dinesh Kumar Singh, J.)

Order Date :- 22.6.2023

Piyush/-