

Court No. - 2

Case :- WRIT - C No. - 10948 of 2024

Petitioner :- Shatrohan

Respondent :- State Of U.P. Thru. Its Addl. Chief Secy. Deptt. Of Revenue Lko. And 3 Others

Counsel for Petitioner :- Ajai Kumar Singh,Raj Kumar Mishra

Counsel for Respondent :- C.S.C.,Mohan Singh

Hon'ble Rajan Roy,J.

Hon'ble Brij Raj Singh,J.

Heard learned counsel for the petitioner as also the learned Addl. C.S.C. and perused the record.

The fishery rights in respect of the pond in question, which were earlier settled in favour of the petitioner, have now been settled with another one, as submitted by the petitioner's counsel himself, however, as the petitioner's wife is suffering from Cancer, therefore, it is said that the petitioner was not able to exercise fishery rights while the *patta* was in force and, therefore, he may be given opportunity to exercise the fishery rights, as he has already planted roe in the pond.

We are unable to accept such request of the petitioner under Article 226 of the Constitution of India when, fishery rights have already been settled in favour of another one and the grant of lease to him has not been challenged on any valid ground. The writ petition is **disposed off** accordingly.

(Brij Raj Singh, J.) (Rajan Roy, J.)

Order Date :- 18.12.2024

A.Nigam