

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14269 of 2013**

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Chandu Biswas son of Late Lakshmi Biswas, resident of Village and Post Bhargawan, P.S. and Anchal Bhargawan, Ex-Priest since 45 to 50 years in Chandika Devi Temple on Khesra No. 1491 area 4 decimals and Khesra No. 1496 area 69 decimals in Village and Post Bhargawan in the District of Araria and at present continued to worship in the Mandir

.... .... Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Magistrate, Araria
2. The Collector-cum-District Magistrate, Araria
3. The District Fisheries Officer-cum-Chief Executive Officer Fisheries, District Araria
4. The Sub Divisional Officer, Forbesganj, District Araria
5. The Land Reforms Deputy Collector, Forbesganj, Araria
6. The Circle Officer, Bhargawan, District Araria

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Najmul Bari, Advocate  
Mr. Kameshwar Prasad Singh, Advocate  
For the Respondent/s : Mr. Rajesh Kumar Sinha, AC to GP 25

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

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6      27-11-2015

Heard the parties.

2. The petitioner has filed the present writ petition under Article 226 of the Constitution of India questioning the validity of notice dated 06.01.2012 (Annexure-1) issued by the respondent District Fisheries Officer-cum-Chief Executive Officer, Araria for settlement of Jalkar in question.

3. In the considered opinion of this Court, the issues, which are sought to be raised on behalf of the petitioner in the present proceeding, can be raised before the respondent District Fisheries Officer, Araria who shall be obliged to consider the same.

4. Though a counter affidavit has been filed on behalf of the respondent no.3, but it has not been stated anywhere that the

final settlement of Jalkar in question has been made in favour of any person pursuant to the impugned notice.

5. In the aforesaid matrix, the petitioner is directed to appear before the respondent District Fisheries Officer, Araria with his show cause and all the relevant documents as also with a certified copy of the present order within a period of one month from today, whereafter he shall consider his case and pass appropriate final order with respect to settlement of Jalkar in question.

6. The writ petition stands disposed of with the observations and directions made above.

**(Birendra Prasad Verma, J)**

Tahir/-

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