

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1527 of 2015

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1. Bagaha - 2 Block Fisherman Co-operative Society Limited through its Secretary, Sri Shambhu Chaudhary, resident of village- Kailashnagar, Ward No.-6, Post- Narayanpur, P.S.- Bagaha (Pathkauli), District- West Champaran.

2. Shambhu Chaudhary, Aged about 47 years, son of Late Mahavir Chaudhary, resident of village- Kailashnagar, Ward No.-6, Post- Narayanpur, P.S.- Bagaha (Pathkauli), District- West Champaran.

.... Petitioners

Versus

1. The State of Bihar, through, Principal Secretary, Department of Animal and Fisheries Resources, Government of Bihar, Patna.

2. The Director, Directorate of Fisheries, Animal and Fisheries Resources Department, Government of Bihar, Patna.

3. The District Fisheries Officer-cum-Chief Executive Officer, West Champaran, Bettiah.

.... Respondents

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Appearance :

For the Petitioners : Mr. Lal Babu Singh, Advocate

For the Respondents : M/S Rabindra Kumar Priyadarshi, G.P.32

Mrigendra Kumar Singh, A.C. to G.P.32

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 27-01-2015 I have heard learned counsel for the petitioners and the State.

Petitioners are aggrieved by the letter dated 18.11.2014 by which they have been directed to deposit the second installment of the land settlement amount for the financial year 2013-14 and for the year 2014-15 as the concerned jalkar has been settled vide Annexure-2 dated 28.6.2014. Learned counsel submits that the demand raised in Annexure-3 is contrary to the terms of settlement as well as in contravention of Section 2(vii) of the Bihar Fish Jalkar Management Act, 2006.

Learned counsel has submitted that they had given representation for reconsideration to the District Fisheries Officer-cum-Chief Executive Officer, West Champaran, Bettiah, i.e., the respondent no.3 with a copy to the Deputy Director Fisheries.

However, in view of the nature of dispute, I deem it proper to dispose of the writ application granting liberty to the petitioners to move before the respondent no.2, i.e. the Director, Directorate of Fisheries, Animal and Fisheries Resources Department, Government of Bihar, Patna along with a copy of this order, who shall consider the issue raised by the petitioners on its own merit and in accordance with law expeditiously preferably within a period of eight weeks from the date of filing of such representation.

(Dr. Ravi Ranjan, J)

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