

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7441 of 2012

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Bachhan Singh Son of Late Parashnath Singh Resident of Village Mokari, P.S.
Bhabua, District - Kaimur

.... Petitioner/s

Versus

1. The State of Bihar
2. Chief Engineer, Department of Water Resources, Govt. of Bihar, Dehri, District - Rohtas
3. Superintending Engineer, Jalpath Anchal, Bhabua, District - Kaimur
4. Executive Engineer, Sone High Level Canal Division, Bhabua, District - Kaimur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. PRABHAKAR SINGH

For the Respondent/s : Mr. RAJESH KUMAR GP21

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 06-05-2016

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for extension of the lease granted to the petitioner for carrying out fishing from the Kuhira Reservior Project situated in the District of Kaimur for the period when the same was inoperational due to repair work being done and to permit the petitioner to complete his term of five years from the date of work order granted to him.

3. At the time of hearing, learned counsel for the petitioner does not press the prayer for extending the lease allowing the petitioner to complete his term of five years. It is stated that the petitioner had completed three years of his term and expresses that he would represent before the concerned authorities for refund of the proportionate amount of Rs. 16,21,000/- for the five years period of fishing rights from 01.04.2006 to

31.03.2011.

4. Having regard to the nature of the prayer, the writ petition is disposed of granting liberty to the petitioner to approach the Chief Engineer, Department of Water Resources, Govt. of Bihar, Dehri, District Rohtas (Respondent No. 2) with a representation for consideration of his claim for refund of the proportionate amount out of Rs. 16,21,000/- for the two years for which he was unable to avail of his fishing rights under the lease deed, within a period of four weeks from the date of receipt/production of a copy of this order. If such a representation is filed, the same shall be disposed of by the respondent no. 2 within a further period of twelve weeks thereafter and after grant of opportunity of being heard to the petitioner.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
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