

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6348 of 2014

=====

Ram Uday Sahni, Son of Late Khakhar Sahni, Resident of Village-
Bahuwara, P.S.- Bakhari, District- Begusarai, Member Bakhari Thana
Prakhand Matasyajivi Sahayog Samiti, Bakhari District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar, through Secretary, Animal Husbandry and Fisheries
Department, Bihar, Patna
2. The Director, Fisheries, Bihar, Patna
3. The Deputy Director, Fisheries, Munger Commissioner, Munger.
4. The Divisional Commissioner, Munger
5. The Collector-Cum-District Magistrate, Begusarai
6. The District Fisheries Officer, Begusarai
7. The Additional Collector, Begusarai
8. The Anchal Adhikari, Bakhari, District- Begusarai
9. The Collector-Cum-District Magistrate, Khagaria
10. The Additional Collector, Khagaria
11. The District Fisheries Officer, Khagaria
12. The Anchal Adhikari, Khagari Sadar, Khagaria
13. The Secretary Khagaria Prakhand Matasyajivi Sahyog Samiti, Khagaria

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar Singh, Adv.
For the Respondent Nos. 1 to 12 : Mr. Sushil Kumar, GP-22
For the Respondent No.13 : Mr. Ranjeet Kumar Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 20-10-2016 Heard the parties.

The petitioner, claiming to be a member of Bakhri Fishermen Co-operative Society, has filed the present writ petition assailing the validity and correctness of the order of settlement made by the District Fisheries Officer-cum-Chief Executive Officer, Khagaria in favour of private respondent no. 13 by order dated 18.7.2013.

Though, the learned counsel appearing on behalf of the petitioner as also the learned counsel appearing on behalf of the respondents, have argued the matter at some length raising various

disputed question of facts with regard to Jalkar in question, but finally both sides have fairly conceded that the impugned order of settlement is appealable as also revisable under the provisions of Section 14 of The Bihar Fish Jalkar Management Act, 2006. Admittedly, the petitioner has not exhausted the alternative and statutory remedy of appeal and revision available to him against the impugned order of settlement.

In above view of the matter, the present writ petition is dismissed, but a liberty is granted to the petitioner to approach the prescribed statutory appellate authority as also the revisional authority for redressal of his valid grievances with respect to the Jalkar in question.

If an appropriate appeal is filed on behalf of the petitioner, after impleading all the necessary parties including the respondents herein, within a period of three weeks from today, with a certified copy of the present order, and if it is found to have become barred by limitation and if any petition is filed for condonation of such delay, then the learned appellate authority shall take into consideration that on a bonafide legal advice, the present writ petition was filed on 28.3.2014 and that remained pending before this Court till date.

It also goes without saying that if an appropriate appeal is filed within the time indicated above, the parties shall be at liberty to raise all the issues of facts and law, which may be available to them with respect to the settlement of Jalkar in question.

(Birendra Prasad Verma, J)

BTiwary/-

U			
---	--	--	--