

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1587 of 2014
IN
Civil Writ Jurisdiction Case No. 9736 of 2014**

- =====
1. Noorsarai Prakhand Matsyajivi Sahyog Samiti Ltd. Noorsarai through its Secretary Suresh Jamadar son of Late Bal Govind Jamadar resident of village - Jagdishpur Tiyaari, P.S. Noorsarai, Distt. - Nalanda
 2. Suresh Jamadar son of Late Bal Govind Jamadar resident of village - Jagdishpur Tiyaari, P.S. Noorsarai, Distt. - Nalanda

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Animal Husbandary and Fisheries Department, Bihar, Patna
2. The District Magistrate, Nalanda at Biharsharif
3. The Director Fisheries, Bihar, Patna
4. The District Fisheries officer - Cum - Chief Executive Officer, Nalanda at Biharsharif
5. The Officer - in - Charge, Noorsarai Police Station, P.S. Noorsarai, distt. - Nalanda
6. Md. Maniruddin @ Bhutto son of Late Fakira Mian resident of village - Basar Bigha, P.O. and P.S. Sohsarai, Distt. - Nalanda

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Mahasweta Chatterjee, Advocate
For the Respondent/s	:	Mr. Sarvesh Kumar Singh, A.A.G.-13 Mrs. Sunita Kumari, AC to A.A.G.-13
For the Respondent No. 6	:	Mr. Rajesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 11-05-2017

Heard learned counsels for the parties.

If the submission of learned counsel for the appellant is correct that an enquiry had been conducted by a State-authority and



a report was submitted in the year 2015, it is a kind of shaking off the liability of the society in view of payment already made etc. These are verifiable issues. Therefore, the Court will not interfere with the order of the Learned Single Judge, dated 29.08.2014, since he has only remitted the matter back to the Collector, where all opportunities and exercise of adjustment of accounts can be very well understood and explained with ready availability of the records at the local level.

In view of the same, the Court would direct the appellant to approach the said authority and explain the accounting or the allegation of dues may be even in the background of the so called enquiry report, dated 20th of January, 2015, which has already been submitted to the District Magistrate. The District Magistrate would be well obliged to settle the matter, since it is an old issue relating to the year 2014 and also concerned with the revenues of the State.

Appeal stands disposed off with observation / direction as above.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
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