

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1953 of 2015

IN

Civil Writ Jurisdiction Case No. 3339 of 2015

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Raj Kumar Shahni, Son of Late Yogendra Sahni, resident of village- Ghat Bhatra,
P.S Bisfi, District- Madhubani.

.... Appellant

Versus

1. The State of Bihar through Additional Secretary, Fisheries Department, Govt. of Bihar, Patna.
2. The Executive Officer-cum-District Fisheries Officer, Madhubani.
3. The Sub- Divisional Officer, Benipatti , Madhubani.
4. The Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
5. Md. Ashad Ali, Son of Late Wakil Jat, resident of village- Singhia, P.S. Bisfi, District- Madhubani.

.... Respondents

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Appearance:

For the Appellant/s : Mr. Dhananjay Kumar, Advocate.

For the Respondents-State: Mr. Syed Md. Najmul Bari, AC to SC 20.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 07-09-2017

Heard learned counsel for the appellant and learned
counsel for the State.

The learned Single Judge has already set aside the order of
cancellation of Sairat on the grounds of principles of natural justice
and given opportunity to the appellant to demonstrate before the
authorities with his defence or reasons for not taking such a decision.

Learned counsel for the appellant submits that on a fraud
played by certain vested interest the exclusion of the Sairat at the
government level was managed which, in turn, became the reason for



cancellation, therefore, that aspect of the matter was not touched by the learned Single Judge.

Since a forum and opportunity has already been provided to the appellant and the order of cancellation of Sairat is dependent upon the previous decision, all these issues can very well be agitated before the concerned authority.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

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