

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18901 of 2016

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Narayan Sahni

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad

For the Respondent/s : Mr. Raj Kishore Roy-Gp18

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 23-08-2018

Heard both sides.

The petitioner has filed this writ petition for quashing the order of settlement of Katulpur Jalkar in favour of respondent no. 9 by respondent no. 8 for the year 2013-14 to 2016-19 and further to issue a direction to the respondents not to take possession of the Katulpur Shairat bearing Tauzi No. 2169 in the garb of Tauzi No. 425.

The learned counsel for the petitioner submits that Tauzi No. 425 is declared as agriculture land as would appear from Annexure-4 series which are the rent receipts. It is further submits that Katulpur Shairat relating to Tauzi No. 2169 is a free Jalkar and petitioner and others are fishing in the ponds but the authority has illegally settled the aforesaid pond mentioning wrong Tauzi No. as 425.

The respondent State filed counter affidavit.



Learned counsel for the respondents submits that Tauzi No. 425 is settled and not Tauzi No. 2169. The State has never settled Tauzi No. 2169 with respondent no. 9, which has been declared free Jalkar for fishing for common man.

Taking into consideration the facts that the ponds bearing Tauzi No. 2169 has not been settled in favour of respondent no. 9, this writ petition is dismissed as no order of settlement is made in favour of any person with regard to Tauzi No. 2169.

(Prabhat Kumar Jha, J)

BKS/Rajan

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