

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14826 of 2019

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Manoj Sahani Son of Sudama Sahani, Resident of Village- Mishrauli, P.S. Guthani, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Fisheries Department, Govt. of Bihar at Patna.
2. The Deputy Director, Fisheries, Saran Division at Chapra, District- Chapra.
3. The Collector, Siwan, District- Siwan.
4. The Additional Collector, District - Siwan.
5. The District Fisheries Officer-Cum-chief Executive Officer, Siwan, Distt. Siwan.
6. The Sub Divisional Officer, Distt.- Siwan.
7. The Block Development Officer, Guthani, Distt. Siwan.
8. The Circle Officer, Guthani, Distt. Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Dubey Mr. Shailendra Kumar Dwivedi
For the State	:	Mr. Md. Khursid Alam (AAG-12) Mr. Majid M. Khan, AC to AAG 12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-07-2019 Heard the learned counsel for the parties.

This writ application has been filed, seeking the following relief:-

“For issuance of an appropriate writ/order/direction including the writ in the nature of certiorari to quashing the impugned memo no. 582/Siwan, dated 06.06.2019 (Annexure-1) issued under the signature of the District Fisheries



Officer-cum-Chief Executive Officer, Siwan i.e. respondent no.5 by which he invited notice for open bid for settlement of Jalkar (ponds) of Guthani Block, Distt. Siwan without cancellation of earlier settlement made by the petitioner.”

Indisputably, the petitioner has statutory remedy under Section 14 of the Bihar Fish Jalkar Management Act, 2006 (for short ‘the Act’), against the decision of the District Fisheries Officer-cum-Chief Executive Officer, Siwan.

Against the said impugned action, the petitioner is said to have filed a representation before the District Fisheries Officer-cum-Chief Executive Officer, Siwan.

Be that as it may, since the petitioner has statutory remedy of appeal, this writ application is disposed of with an observation that the petitioner shall be at liberty to prefer an appeal against the impugned decision. The petitioner shall also be at liberty to apply for interim relief before the appellate authority. If such an appeal is filed within ten days from today, the Court expects expeditious disposal of the appeal, preferably within two months from the date of filing of the appeal. If any application for interim relief is filed, the same must be disposed of within 15 days.



It goes without saying that any settlement shall be
subject to the final decision in appeal.

HR/-

(Chakradhari Sharan Singh, J)

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