

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3101 of 2019**

- Bhagat Singh, Matsya Sahakari Samiti, Rampur - Junwani Through Its Chairmen Hemant Matiara, S/o - Jhumuk Lal, Aged About 32 Years, R/o - Gram Pachayat Junwani, District Uttar Bastar Kanker, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Fisheries Department, Mantralaya Mahanadi Bhawan, Capital Complex, New Raipur, District Raipur Chhattisgarh
2. Director, Fisheries Culture Department, Indrawati Bhawan, New Raipur, District Raipur Chhattisgarh
3. Collector, District Uttar Bastar Kanker, Chhattisgarh
4. S.D.O., District Uttar Bastar Kanker, Chhattisgarh
5. Janpad Panchayat, Naharpur, Through Its Chief Executive Officer, District Uttar Bastar Kanker Chhattisgarh
6. Gram Panchayat, Junwani, Through Secretary, District Uttar Bastar Kanker Chhattisgarh

----Respondents

For Petitioner : Shri Anshul Tiwari along with Shri Rakesh Kashyap, Advocates

For Respondent/State : Shri Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri, Judge**Order On Board****09/09/2019**

Heard.

1. The present petition is for grant of lease to the petitioner in respect of a pond situated at Rampur, Junwani, District Bastar.
2. The case of the petitioner is that he was holder of the lease of the pond for fisheries from the year 2011 to 2018. Subsequently, after the lease time was over again an application was filed, but the same was not considered on the ground that there are other two applicants, namely Istayi Gram Sangathan and Mahila Swa Sahayta Samuh also. Therefore, it was

observed in case it is granted to one then it will create law and order problem and will also lead to chaos, therefore, the Gram Panchayat of Junwani has passed a resolution that under these circumstances the lease cannot be given to any of the parties.

3. Admittedly, lease in favour of the petitioner has expired on 2018 and on mere application of the petitioner it cannot be granted to a single person. If there are other prospective applicants then, naturally it must go to the person who contributes maximum amount to the exchequer. Therefore, the prayer for grant to the petitioner alone cannot be acceded to. Therefore, in the instant case, the Collector shall consider the fact and situation prevailing at the area and may grant the pond by auction to the highest bidder who contributes maximum to the exchequer.

4. With such observation, the petition stands disposed of.

Jyoti

Sd/-
(Goutam Bhaduri)
Judge