

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19375 of 2018

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Anil Kumar S/o-Jagdambi Singh, R/o-Village-Karki, P.O. _karki, P.S.-Ariyari,
District-Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Animal & Fisheries Resources, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Old Secretariat, Bailey Raod, Patna.
3. The District Magistrate, District-Sheikhpura.
4. The Additional Collector-Cum-District Public Grievances Redressal Officer, District-Sheikhpura.
5. The District Fisheries Officer-Cum Chief Executive Officer, District-Sheikhpura.
6. The Circle Officer, Block-Ariyari, District-Sheikhpura.
7. Sri Ranjeet Chauhan @ Ranjeet Kumar, S/o-Late Baleshwar Chauhan, Village-Taanrapar, Block-Ariyari. Post-Sanaiya, District-Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Avanindra Kumar Jha
For the Respondent/s : Mr.Md.Khurshid Alam -Aag12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 26.09.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following reliefs:

“(i) To hold and declare that in view of the
Rules/Policy & Criteria fixed by the State



Government of Bihar, for settlement of ‘Jalkar’ the two ‘Jalkar’/Ponds (detailed hereinbelow in tabular chart), cannot be settled for fishing rights.

Details of the two ‘Jalkar’/Ponds					
Sl	Name of Jalkar	Village	Khata	Khesra	Rakba
1	Karki Bara Phokhar (South Part)	Karki	262	331	4.56
2	Karki Bara Phokhar (North Part)	Karki	262	36	3.90

- (ii) For issuance of an order, direction or a writ in the nature of Certiorari for quashing the Memo No. 68 dated 13.02.2018 (Annexure-4) whereby and whereunder aforesaid two Ponds/Jalkar have been {detailed herein above in tabular chart}, settled in favour of Matsya Jivi Sahyog Samiti, Ariyari represented through respondent no. 7 namely Sri Ranjeet Chauhan @ Ranjeet Kumar, contrary to the Rules/Policy & Criteria fixed by the State Government for settlement of ‘Jalkar’/Ponds.
- (iii) For issuance of an order, direction or a writ in nature of mandamus commanding the respondents concerned for not settling the aforementioned ponds/Jalkars in future for fisheries or otherwise for commercial/private use.
- (iv) For grant of any other relief or relief(s) to which the petitioner may be found entitled to in the facts and circumstances of this case.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content



if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

sujit/-

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