

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13516 of 2019

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Motilal Day S/o Late Swao Nivaran Chandrade, Resident of Village
Hardiy,P.S. Shikarpur,Dist.W.Champaran

... .. Petitioner/s

Versus

1. The Union of India through the General Manager,E.C.R.,Hazipur.
2. The General Manager, East Central Railway,Hazipur
3. The General Manager(Engineer), East Central Railway,Hazipur
4. The Chief General Engineer, East Central Railway,Hazipur
5. The Divisional Railway Manager, Samastipur Division,Samastipur
6. The Senior Divisional Engineer, Samastipur,Division Samastipur
7. The District Magistrate, W.Champaran,Bettiah
8. The District Forest Officer, Valmikinagar Range,W.Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arbind Kumar Singh, Advocate Mr. Manour Alam, Advocate
For the Railways	:	Mr. Bijoy Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Abhijit Sinha, AC to PAAG-2

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 16-01-2020

Heard the learned counsel for the parties.

The petitioner seeks a direction to the respondents to conduct an enquiry whether the pond / fishing area in which he has been permitted to fish by the Railways belongs to the Railways or to the Forest Department and also for revising the amount of 2nd and 3rd installment of annual license fee.



This has become necessary because with the doubling of the tracks by the Railways, the water body has been filled up with the dug up earth, leaving practically no space for the petitioner to fish in such water body.

It has been submitted on behalf of the petitioner that the 1st installment has been paid. Some times after that, an objection was raised by the Forest Department and the petitioner was prevented from fishing as the water body was claimed to be of the Forest Department.

Under these circumstances, the present request has been made by the petitioner.

Learned counsel for the petitioner has shown to this Court a communication by an Officer of the Railways to the Divisional Railway Manager (Engineering), Samastipur intimating him that the representation of the petitioner is required to be considered after verification of the statement made therein.

Should the petitioner make a fresh representation annexing all the documents which have been brought on



record in this writ petition, before the Divisional Railway Manager, Samastipur Division, Samastipur (Respondent No. 5), within a period of four weeks, the same shall be considered by the concerned respondent in correct perspective and a decision shall be taken which shall be communicated to the petitioner. This exercise be completed within six weeks from the date of receipt of such representation.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	23.01.2020
Transmission Date	

