

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(C) No. 3214 of 2020

Ganga Machhuwa Sahkari Samiti Maryadit, Bhanwarmal, Balrampur Through Its President Kalika Singh, S/o. Late Bhulan Singh, Aged About 54 Years, Caste Khairwar (Scheduled Tribe), Post Chandranagar, P.S. Ramanujganj, District Balrampur- Ramanujganj, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Fisheries Department Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh
2. Director, Directorate (Fisheries), Indravati Bhawan, Atal Nagar, Nawa Riapur, District Raipur, Chhattisgarh
3. Assistant Director, Fisheries Department, District Balrampur-Ramanujganj, Chhattisgarh
4. Collector, District Balrampur-Ramanujganj, Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat, Ramchandrapur, District Balrampur-Ramanujganj, Chhattisgarh
6. Unnat Machhuwa Sahakari Samiti, Village Kamalpur, District Balrampur-Ramanujganj, Chhattisgarh

---- Respondents

For Petitioner : Mr. C.Jayant K. Rao, Advocate

For State : Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.01.2021

Heard

1. The only grievance of the petitioner is that the respondent No.5, C.E.O. Janpad Panchayat, Ramchandrapur has allotted the right of fisheries to the respondent No.6 whereas in the earlier occasion, the petitioner's name was recommended for such grant of lease.
2. Learned counsel for the petitioner would submit that the change occurred because of the change of C.E.O. Janpad Panchayat. He would further submit that the petitioner therefore preferred a petition before the Collector by Annexure P-10 on 21.09.2020, which is still pending adjudication and

nothing has been transpired, therefore, the Collector may be directed to decide the same as an appeal.

3. Perusal of Annexure P-10 would show that already the petition has been preferred before the Collector against the order of the C.E.O. Janpad Panchayat Ramchandrapur whereby the lease was granted in favour of the respondent No.6; therefore, the said petition may be heard after giving notice to the Unnat Machhuwa Sahakari Samiti and C.E.O. Ramchandrapur and after hearing them the issue may be adjudicated in accordance with law. The said proceeding may be culminated within an outer limit of four months from the date of receipt of a copy of this order. The petitioner shall also be at liberty to file a well drafted memo of appeal.
4. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Aks