

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4965 of 2023

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1. Avinash Kumar Son of Chalitar Sahni, Resident of Village and P.O.-Singhwara, District- Darbhanga, elected Secretary of Singhwara Prakhand Matasyajivi Sahyog Samiti Limited, Singhwara.
 2. Singhwara Prakhand Matasyajivi Sahyog Samiti Limited, Singhwara through its elected Secretary Avinash Kumar, Male, Son of Chalitar Sahni.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Animal Husbandry and Fisheries Department, Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The Director Fisheries, Bihar, Patna.
4. The Under Secretary, Animal Husbandry and Fisheries Department, Bihar, Patna.
5. The Dy. Director Fisheries, Bihar, Patna.
6. The Dy. Director, Fisheries Darbhanga Division, Darbhanga.
7. The District Fisheries Officer-cum- Chief Executive Officer, District-Darbhangha

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-08-2023 Learned counsel for the petitioners and learned counsel for the State are present.

2. The present writ petition has been filed seeking direction to the respondents to adjust/refund the excess amount to a sum of Rs.5,70,359/- which has been deposited by the petitioner society on account of issuance of late settlement-cum-extension order of 164 fisheries Jalkars for 2022-23 i.e. on 01.07.2022 to 30.06.2023 issued by respondent no.6. Petitioner



further prayed that Parwana was issued only for six months which is annexed as Annexure-2 and petitioners' society has utilized the Jalkars for six months instead of one year.

3. Learned counsel for the petitioners submits that petitioners' society is liable to a proportionate amount only for six months and not for full year. He further submits that petitioner has filed representation before the District Fisheries Officer-cum-Chief Executive Officer, Darbhanga in this matter which is annexed as Annexure-9 series but till date no decision has been taken. He further submits that in support of petitioner, he has also annexed the order passed by this Court in C.W.J.C. No.12896 of 2009 dated 05.10.2009.

4. Learned counsel for the State submits that the petitioner may be directed to file fresh representation before the authority concerned.

5. In this background that representation of petitioner is pending before the respondent no.7, District Fisheries Officer-cum-Chief Executive Officer, Darbhanga, the petitioner is directed to file fresh representation alongwith the copy of order passed today raising all his claim which has been mentioned in the present writ petition within four weeks from today and respondent no.7 is directed to pass reasoned and speaking order



on the representation of petitioner within six weeks thereafter.

6. With this direction and observation, the present
Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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