

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9980 of 2023

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Ram Pramod Sahni, Son of Late Baliram Sahni, Resident of Village Bokhra,
P.S. Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Animal Husbandry and Fisheries Resources Department, Govt. of Bihar, Patna.
2. The Director, Fisheries Directorate, Bihar, Patna.
3. The District Magistrate, Sitamarhi.
4. The District Fisheries Officer, Sitamarhi.
5. The Dy. Director, Fisheries, Tirhut Pramanddal, Muzaffarpur.
6. The Dy. Director, Fisheries, Head Quarter, Bihar, Patna.
7. Sunaina Devi Wife of Sri Ganesh Sahni, Resident of village Kurha, P.O. Dhadhi, P.S Nanpur, District Sitamarhi, Pin 843333, presently Ex-Member-cum-Cashier, Bokhra Block Fisheries Co-operative Societies Ltd., P.S. Nanpur, District Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Basant Kumar Chaudhary, Sr. Advocate
Mr.Arvind Kumar, Advocate

For the : Mr. Mukul Prasad, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 25-08-2023

Heard learned Sr. Counsel for the petitioner and
learned counsel for the State.

2. The present application has been filed for quashing
of Memo No. 384 dated 14.06.2023 issued by the District
Fisheries Officer-cum-Chief Executive Officer, Sitamarhi,



whereby *sairats* (jalkar) of Bikhra Block Fisheries Co-operative Society has been settled with respondent No.7 whose primary membership has already been cancelled and challenge to cancellation is pending before the Registrar, Co-operative Societies, Patna, Bihar vide Dispute No.02/2023. Further prayer has been made in this writ petition for quashing of letter no.252 dated 27.04.2023, whereby the District Fisheries Officer-cum-Chief Executive Officer, Sitamarhi has rejected the applications dated 24.04.2023 and 27.04.2023 without application of mind and in a completed illegal manner.

3. Learned counsel for the State raised a preliminary objection that any order passed by the District Fisheries Officer-cum-Chief Executive Officer is appealable before the Divisional Commissioner.

4. In response thereof, learned Sr. Counsel for the petitioner submits by virtue of his acceptance at the bar that once an appeal is preferred before the Divisional Commissioner, it takes years and years for its disposal.

5. This Court is very serious of this issue and directs the Divisional Commissioner concerned that once an appeal is filed by the petitioner along with a copy of this order within four weeks from today, he shall decide the same within 60 days from



the date of appearance of the opponent in this Case. He is further directed to immediately consider the interim application within one week of its filing by the petitioner.

7. With this observation and direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	29.08.2023
Transmission Date	NA

