

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 5039 of 2020

Arjun Sharma son of Late Devi Sharma resident of Village- Laxmipur, Police Station- Prampur, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Animal Husbandry and Fisheries Department, Bihar, Patna.
2. Shambhu Prasad Nayak, District Fisheries Officer, Katihar, Bihar.
3. Prampur Prakhand Matasya Jeevi Sahyog Samiti Limited, at Roshna, P.S.- Prampur, District- Katihar.
4. Kunal Nishad, Secretary, Prampur Prakhand Matasya Jeevi Sahyog Samiti Limited, at Roshna, P.S.- Prampur, District- Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr Yogendra Mishra, Sr Advocate with Ms Swati Mishra, Advocate
For the Respondent/s	:	Mr Rishi Raj Sinha, SC XIX

CORAM: HONOURABLE MR JUSTICE RAJIV ROY

ORAL ORDER

7 01-04-2024 Heard learned counsel for the petitioner and the State.

2 This writ petition has been filed for the following reliefs:

“(i) An appropriate writ/order/direction, declaring the list prepared by respondent No 2, as contained in Annexure 5, as illegal, arbitrary, mala fide and without jurisdiction, be issued;

(ii) An appropriate writ/order/direction, quashing the list of proposed settlees (Annexure 5) in so far as it relates to the proposed settlement of Jalkar of Gudhali Kundi Fisheries cum Makhana Jalkar, be issued;

(iii) An appropriate writ, order,



direction, commanding the respondents to make settlement of Gadhali Kundi Fisheries cum- Makhana Jalkar with the petitioner and 13 others of the group on acceptance of reserve jama, within a time frame, be issued.

(iv) An appropriate writ/order or direction for any other relief/reliefs to which the petitioner be found entitled to be issued.”

3 This petition clearly shows the high handedness on the part of the respondents. From perusal of the different paragraphs of the writ petition, it seems that even the criminal cases that were preferred, the Director General of Police, upon representation, not only gave direction to file closure report, he also directed the SP, Katihar to take necessary action against the local police officials including the Secretary of the Pranpur Prakhand Matasya Jeevi Sahgyog Samiti Limited (Respondent No 4).

4 The counter affidavit and the reply to the counter affidavit are on record.

5 Considering the nature of the case and also the way it has moved, it would be appropriate that the Collector, Katihar gives a relook into the entire matter so that the affected persons ultimately get justice.

6 The petitioner intends to file representation



attaching all the relevant documents before the Collector, Katihar within four weeks from today.

7 If the representation is filed, in that case, the Collector to hear all the parties and to pass an appropriate order within four weeks thereafter.

8 This writ petition stands dispose of.

(Rajiv Roy, J)

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