

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10137 of 2023

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1. Kalyanpur Block Fisherman Co-operative Society Ltd. through Raj Kumar Sahani, the Chairman-cum-Authorised representative
 2. Raj Kumar Sahani, Son of Late Chandar Sahani, R/o Village- Srinath Paran, P.O.- Jagadish Paran, P.S.- Chakamehasi, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Animal and Fish Resources Department, Bihar, Patna.
3. The Secretary, Department of Co-operation, Bihar, Patna.
4. The Registrar, Co-operative Societies, Bihar, Patna.
5. The Director Fisheries, Department of Animal and Fish Resources, Bihar, Patna.
6. The Joint Registrar, Co-operative Societies, Darbhanga Division, Darbhanga.
7. The District Co-operative Officer, Samastipur.
8. The District Fisheries Officer-cum-Chief Executive Officer, Samastipur.
9. Smt. Jaymangali Devi, W/o Sri Ram Kumar Sahani R/o Village and P.O.- Dhrubgama, P.S.-Kalyanpur, District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Mahasweta Chatterjee, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy, GP-18
		Mr. Deepak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-04-2024 Heard Mrs. Mahasweta Chatterjee, learned counsel

for the petitioner, Mr. Deepak Kumar representing the

respondent No. 9 and learned AC to GP-18 who is present but

the file is not available.

2. The present writ petition has been filed for grant of
following relief/s:-

“(i) That, an appropriate writ may be



issued quashing the communication made by the District Fisheries Officer, Respondent No. 8, vide Letter No. 449 dated 30.05.2023 as contained in Annexure- 23, whereby and where under the Respondent No. 8 has rejected the application / Claim filed by the Petitioner No. 2 for settling the Jalkars with the Society through the Chairman who has been authorized by the Majority of the members of the Managing Committee.

(ii) That, an appropriate writ may be issued commanding upon the District Fisheries Officer Respondent No. 8 to settle the Jalkars with the Society on the basis of the application filed and document submitted with the application as contemplated under Section 7 (iii) of the Bihar Fish Jalkar's Management Act filed by Petitioner no. 2 on behalf of the majority of the members of the Managing Committee of the Society.

(iii) That, an appropriate writ may be issued for quashing all the consequential Orders/ communications taken by the District Fisheries Officer after issuance of Annexure 23.



*(iv) Any other relief/reliefs for which the
petitioners are found entitled to.”*

3. At the outset learned counsel appearing on behalf of the respondent No. 9 submits that vide letter No. 457 dated 02.06.2023 itself, the settlement up to June, 2027 (four years) has been made with the Kalyanpur Fishermen Cooperative Society by the District Fishery Officer-cum-Chief Executive Officer, Samastipur and the copy of the order has been provided in the Court.

4. Learned counsel Mrs. Mahasweta Chatterjee appearing for the petitioners submit that in that case when the fresh development has been taken place and she has no instruction from the petitioners, it seems that the present petition has become infructuous. She, however, wants liberty to challenge the said order, if and when the petitioners approaches.

5. The order is of June, 2023, the petitioner chose to sleep over the matter, it is high time that the writ petition stands disposed of, accordingly ordered.

(Rajiv Roy, J)

Adnan/-

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