

**03.10.2024**  
**Sl. No. 38.**  
**D/L.**  
**Mithun**  
**Ct.No.03.**

**WPA 14063 of 2023**

**Raja Aslam Md. Noor**  
**Vs.**  
**The Union of India & Ors.**

Md. Mokaram Hossain

...for the petitioner.

Mr. Sukumar Bhattacharyya

...for the Union of India.

It is the case of the petitioner that he participated in the tender having Ref. No. LOA No. 404-C/0/1/L dated 31.01.2022, 25.03.2022, and 26.05.2022 issued by the Eastern Railway for the Fishing right in Railway Tank no.5 and BP No.3 at Mograhat, Left Side facing to SDAH, betn cabin & Qtr. No. 6T as per DRM/SDAH's Drg. No. 4/1/94.

The petitioner states that he was issued a letter dated 13.06.2022 in his favour whereby he was requested to deposit the license fees etc. towards Acceptance of Tender of Fishing Right in Eastern Railway.

Learned Counsel for the petitioner has drawn the attention of this Court wherein the petitioner had deposited the requisite amount within the prescribed period. The petitioner further contended that in spite

of deposition of licence fees the respondent authority did not take any step to handover the possession of pond for fishing to the petitioner till date without assigning any reason whatsoever illegally.

Learned Counsel for the petitioner also submits that he had made several representations dated 21.07.2022, 23.03.2023 and 29.03.2023 before the authority concerned. Despite the petitioner's continuous efforts to raise the gravity of the matter and to resolve the dispute, the respondent authorities turned a deaf ear towards the said issue. Consequently, the grievances of the petitioner have not been addressed till date.

Learned Counsel for the respondent states that the petitioner had failed to execute the agreement.

It is difficult to fathom the fact that despite the petitioner making the payment and incurring expenses in furtherance of the tender, he will not appear before the authority concerned to execute the agreement.

Be that as it may, this Court directs the respondent authority to consider the representations of the petitioner by way of a speaking order after affording an opportunity of personal hearing of the petitioner within a period of four weeks from the date of communication of the order which shall be

communicated to the petitioner within one week of the same.

Needless to mention that the petitioner shall be at liberty to challenge the speaking order in accordance with law.

With the above direction, the present writ petition is disposed of.

**(Gaurang Kanth, J.)**