

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17396 of 2016

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Nawal Bind S/O Late Rambriksh Bind, aged about 45 years, r/o vill-Nimi,
P.O. Gauri Pundaha, P.S. Daniyawa Prakhand Daniyawan, Distt. Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Fishery Directorate, Fishery Dept. Govt. of Bihar, Patna.
3. The District Fishery officer Cum Chief Executive officer, Patna.
4. The Officer incharge, Daniyawan Police Station, Daniyawa, Dist. Patna.
5. Mr. Shambhu Kewat S/O Sukhit Kewat Mantri, Daniywa Prakhand
Mantsyajeevi Sahyog Samittee nLtd. Daniyawa, Patnma R/O Mohalla-22
6. Mr. Suresh Kewat S/O Late Munari Kewat R/O Shivchak, P.S. Fathua, Distt.
Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav, Advocate
For the Respondent/s : Mrs. Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-08-2025 Heard the parties.

2. The present petition has been preferred for the
following relief(s):

*“(a) A writ in the nature of mandamus be
issued against the respondent to issue Shikmahi
Paswan (Patta) in favour of petitioner who is
member cum group leader of Nimi Jalkar under
Daniyawan Prakhand Sahyog Samitee Ltd.
Daniyawan Patna.*

*(b) To direct the respondent to give effect
of Letter No. issued under 730 dated 15.09.2016*



District signature of Fishery Officer, Cum Chief Executive Officer, Patna by which Respondent No. 5 has been directed to issue Patta in favour of after petitioner taking revenue from him with immediate effect.

(c) To No. direct the Respondent implement the Letter No. 4 to 730 dated 15.09.16 by which he has been requested, accept the petitioner who is original Pattedar, other may not be allowed for Shikarmahi of the pond.

(d) To direct the respondent no 5 to take the revenue and from the petitioner issue Shikarmahi Patta in faovur of the petitioner as well as the member of Nimi Jalkar in pursuant of Letter No. 730 dated 15.09.11 issued by Respondent No. 3.

(e) During the pendency of the writ petition stay the Shikarmahi of pond of Nimi Jalakar under Daniyawan Prakhanda Matsyajeevi Sahyog Samittee Ltd. Patna.

(f) Any other relief/s for which the petitioner is entitled under the facts and circumstances of case.”

3. The counter-affidavit of respondent nos. 1 to 3 duly



signed by the District Fishery Officer, Patna is on record after service of copy to the learned counsel for the petitioner in the year 2018 and according to paragraph 5, the petitioner has suppressed the material facts that after the order passed on 15.09.2016 (Annexure-4 to the petition), the respondent no. 5 filed representation before the Chief Secretary Cell, Bihar, forwarded to the Director, Fisheries Department, Bihar where they all were heard on 26.09.2016 and thereafter vide an order dated 04.10.2016, it came to the conclusion that recourse is to approach the Registrar, Cooperative Societies, Bihar, Patna. She submits that even otherwise, the writ petition has become infructuous.

4. Learned counsel for the petitioner submits that they shall be pursuing the matter before an appropriate authority.

5. Without commenting on the merit of the case and granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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