

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9356 of 2017

=====

Ram Kirpal Das Son of Late Badari Narayan Das, Resident of Village-
Balaur, P.S. Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. District Collector, Darbhanga.
3. Additional Collector, Darbhanga.
4. Deputy Collector, Land Reforms, Darbhanga.
5. Circle Officer, Manigachhi, District- Darbhanga.
6. District Fisheries Officer, Darbhanga.
7. Manigachhi Fishermen Society through its President Bishwanath Sahani,
Son of Jagdish Sahani, Resident of Village P.S. Manigachhi, District-
Darbhanga.
8. Mahim Sahani, Son of Late Laljee Sahani, Secretary, Manigachhi Fishermen
Society, Resident of Village P.S. Manigachhi, District- Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Sr. Advocate Mr. Varun Krishna Singh, Advocate Mrs Sripriya Sinha, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy-Gp18

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-04-2025 Heard the parties.

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

*“for issuance of an appropriate writ or
writs directing the respondent-authorities not to
include the private Sairat of the petitioner in the
list of Sairat of Fisheries Department and further
respondent-authorities may be directed not to settle*



the aforesaid Sairat of the petitioner in favour of private respondents and/or to grant any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case.”

I.A. No. 01 of 2019

3. The present Interlocutory Application has been preferred for substitution of the sole petitioner who died on 05.03.2016.

4. At this stage, learned counsel for the petitioner submits that he may be allowed to withdraw the petition inasmuch as the sole petitioner died in the year 2021 (28.03.2021) but inadvertently, two years before the said death, a different petition was filed in the case. He submits that actually another petition came to be preferred in this case.

5. Learned State counsel objects to that and submits that the I.A. No. 01 of 2019 was filed in the year 2019 as would reflect from the number itself and for six years, there is no such petition for withdrawal of the same as also for the substitution of the legal heir of the sole petitioner who died four years ago. He submits that today when the case has been called out, the said submissions are being forwarded.

6. Though this Court wanted to impose cost in the



matter, since the learned counsel for the petitioner is young, cautioning him to be careful in future, he is allowed to withdraw I.A. No. 1 of 2019.

CWJC No. 9356 of 2017

7. Learned counsel for the petitioner further submits that since the sole petitioner is no more, the legal heirs of the petitioner be allowed to approach the respondent no. 3, the Additional Collector, Darbhanga in the light of the statements made by the State (respondent nos. 2 to 5) in its counter-affidavit especially in paragraph nos. 6 to 9.

8. Allowing the heirs of the sole petitioner to approach the concerned respondent who is duty bound to look into the matter and pass an appropriate order, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

U			
---	--	--	--

