

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10625 of 2020

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Amod Kumar Tiwari Son of Bachha Tiwary Resident of Village- Salehpur,
P.O.- Amarpura, Police Station- Mohammadpur, Anchal- Sidhwaliya, District-
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gopalganj.
3. The District Fisheries Officer-cum- Chief Executive Officer, Gopalganj.
4. The Circle Officer, Sidhwalia, Block- Sidhwalia, District- Gopalganj.
5. Parmanand Chaudhary, Secretary, Fisheries, Co- Operative Society, Anchal Sidhwaliya, District- Gopalganj.
6. Bantu Kumar Choudhary Son of Awadh Lal Chaudhary, Resident of Village- Salepur, P.O.- Amarpur, Police Station- Mohammadpur, District- Gopalganj.
7. Dhunmun Tiwari Son of Late Paras Tiwari, Resident of Village - Salehpur, P.S. - Mohammadpur, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Atul Shanker AC to SC-19 Mr. Dharmveer, Adv.
For intervenor petitioner :		Mr. Javed Aslam, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

8 10-11-2025 No one is present on behalf of the petitioner while

Mr. Atul Shanker, learned counsel appearing for the State-

respondents is present and he is heard.

2. The instant case has been filed under Article 226 of

the Constitution of India by the petitioner seeking the following

relief(s):

*"I. For issuance of a writ in the nature of
certiorati for quashing the letter no.641 dated
21.11.2019 whereby and whereunder the*



District Fishery Officer-cum-Chief Executive Officer, Gopalganj was pleased to dismissed the claim of petitioner.

II. For issuance of an appropriate writ for commanding and directing the respondents to demark 1.5 acre land over which the Gandak. river is flowing in village Salehpur.

III. For issuance of any other direction to restrain the Pattedar for fishing more than 1.5 acres of land which has been settled in his favour.

IV. For any other relief/reliefs to which the petitioner may be entitled to."

3. The petitioner has mainly challenged the order dated 21.11.2019 passed by the District Fishery Officer-cum-Chief Executive Officer, Gopalganj whereby the petitioner's claim over the pond in question was rejected.

4. It is submitted by the State-respondents that by filing the instant writ application, the petitioner wants to obtain an illegal authority to carry out fishing in the pond of Jalkar in question, in fact, the land concerned to the said pond is unsurveyed, and the fishermen members of the block-level Co-operative Society are engaged in fishing therein, the said Jalkar has been settled with the said society and to substantiate petitioner's claim, no material or evidence has been produced by the petitioner and in this regard, specific statements have been



made in the counter affidavit and further, the order of District Fishery Officer is well-reasoned in which sufficient grounds for rejecting the petitioner's claim have been given.

5. After having heard learned counsel appearing for the State-respondents and having gone through the order of District Fishery Officer as well as taking into account the averments made in this petition as well as statements made by the State-respondents in the counter affidavit, this court finds no merit in this writ application and the order dated 21.11.2019 is a well reasoned and sufficient grounds for rejecting the petitioner's claim have been given and in this regard, statements on affidavit have also been made by the State-respondents in the counter affidavit which inspire the confidence of this court.

6. Accordingly, the instant writ application stands dismissed.

(Shailendra Singh, J)

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