

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19879 of 2025

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Gauri Shankar Singh @ Gaurishankar Puri son of Jainarayan Singh, resident of village- Mathwa, P.S. Pakridayal, District- East Champaran, at Present residing in Chhota Bariyarpur P.S- Chhatauni, Distt-East Champara.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Department of revenue and land reform Govt. of Bihar, Patna
2. The collector, East Champaran, Motihari
3. The Sub Divisional Officer, Motihari
4. The Circle officer Pakridayal, Motihari
5. The District Fisheries officer cum Chief Executive Officer, Motihari
6. Dinesh Sahani S/o Ram Balak Sahani resident of village- Sirhan ward no.9 P.S- Pakridayal Distt- East Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Adv.
For the Respondent/s : Mr. Government Advocate (05)

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-12-2025 This writ petition under Article 226 of the Constitution of India has been filed by the petitioner seeking the following reliefs:-

“An appropriate writ/order/s direction/s commanding the respondent no.1 to 6 to restore possession over pond in connection with land bearing Khata no 537 pertaining to Khesra no.2678 about area 1-10. 16 dhur situated in village - Mathwa, Anchal Pakridayal, Disst- East Champaran, which has been mentioned in Kahtiyani as Gairmazurwa Mokridar and was settled to the then Mahanth Chaturbhuj Puri of



Mathwa Math but the District fisheries officer Motihari has given right for fishing to respondent no.6.

B. An appropriate writ to restrain the respondent no.5 and 6 not to disturb the right of present petitioner who is successor of late Mahanth of said Math since the District Fisheries Officer given illegal right without verifying documents which is available before State of Bihar.

C. An appropriate writ to direct the respondent's authorities to take any coercive step against the respondent no.6 to dispossessed him over the pond and proceed department proceeding against respondent no.5 when document is available that pond in question is possession of Mahanth and math in virtue of settlement as well as Khatiyen.

D. To any other relief or relief's for which the petitioner is entitled too".

2. Mr. Pramod Kumar Pandey, learned counsel for the petitioner and Mr. Ajay, learned G.A.-5 for the State-respondents are present and they are heard.

3. The main issue raised by the petitioner is that the District Fisheries Officer, Motihari has given the right of fishing of the pond situated upon the land of Mathwa Math, which is presently under the control of petitioner, to respondent no.6 which is



completely illegal.

4. This court is of the view that the issue raised by the petitioner is premature for consideration by this court under writ jurisdiction. However, the District Magistrate, East Champaran, Motihari is directed to dispose of the petitioner’s representation (Annexure- P/4), which is pending before him, within a period of four weeks from the date of receipt/ production of a copy of this order.

5. With the aforesaid direction, this writ petition stands disposed of.

(Shailendra Singh, J)

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