

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21283 of 2018

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Magister Prasad Alias Majister Kumhar Son of Lae Mahadev Kumhar, R/o
Village- Sikraur, PO and PS-Sheosagar, District-Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Animal Husbandry Department, Government of Bihar, Patna.
3. The Registrar Cooperative Societies, Bihar, Patna.
4. The Director, Fisheries, Govt. of Bihar, Patna.
5. The District Magistrate, Rohtas at Sasaram.
6. The District Fisheries Officer, Rohtas at Sasaram
7. The Sheosagar Prakhand Stariya Matasyajiwi Sahayog Samity through its President, Sheosagar Block, S
8. The Secretary, Sheosagar Prakhand Stariya Matasyajiwi Sahayog Samity, Sheosagar Block, Sheosagr Roh
9. Bijendra Kumar Son of Bharat Prasad Bind, Resident of Village and PO and PS-Sheosagar, Ex-Secretary, Sheosagar Prakhand Stariya Matasyajiwi Sahayog Samity, Sheosagar Block, Sheosagar Rohtas.
10. Ganga Bind Son of Mahavir Bind, Resident of Village-Bishunpur, PO-Sikraur, PS-Sheosagar, District-Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bajarangi Lal, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-10-2025 Heard Mr. Bajarangi Lal, learned counsel for the
petitioner and Mr. Dhurjati Kumar Prasad, learned GP-14.

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

*i. For setting aside the letter no.505
dated 19.06.2018 issued by the District Fisheries
Officer, Rohtas where under and whereby direction
has been given to previous settlee respondent no.10
to do fishing of Sikraur Jalkar depriving the
petitioner from fishing who is valid Settlee of the*



Jalkar for the year 2017-18 who has invested huge amount in farming the fish seeds but at the last moment he has been deprived from fishing the Jalkar.

ii. For a direction upon the respondents to settle the Sikraur Jalkar in favour of petitioner for coming sessions and also grant him adequate compensation for not allowing him for fishing despite the fact that after settlement petitioner has done farming of fish after making huge investment.

iii. And/or pass such other order orders to which petitioner is entitled in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that though with the passage of time, the actual prayer has become infructuous, the alternate prayer is that since the allotment was not made to him, the respondents are duty bound to return the amount deposited before them.

4. There is no reply from the respondents.

5. If the amount has been deposited, there has not been any fault on behalf of the petitioner, the allotment was made to *Sheosagar Prakhad Stariya Matasyajiwi Sahayog Samity*, certainly, the grievance of the petitioner is justified.

6. In that background, instead of keeping the case pending waiting for the reply of the State, the writ petition is disposed of directing the petitioner to file a fresh representation



with all the supporting documents to show that the amount deposited is still pending with the respondents and if such petition is filed, the same shall be disposed of with a reasoned order.

7. Needless to add, if the petitioner is entitled to the amount, the respondents are duty bound to release the same within four weeks from the disposal of the representation and in no case, beyond 31.01.2026.

8. If the respondents come to the conclusion that the petitioner is entitled to the amount, still the same is not released by 31.01.2026, from 1st of February, 2026, the petitioner shall be entitled to 9% interest till the actual payment is made.

9. The respondents shall be free to take steps for realization of the interest amount from the official who defaults in this regard.

10. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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