

(2020) 02 PAT CK 0248

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 1422 Of 2020

Shivjee Sahni And Anr

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 18-02-2020

Acts Referred:

Citation : (2020) 02 PAT CK 0248

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Sandeep Kumar, Rakesh Kumar Jha, Ram Nibash Prasad, Rishi Raj Sinha

Final Decision : Disposed Of

Judgement

1. Heard Mr. Sandeep Kumar, learned counsel for the petitioners and Mr. Rishi Raj Sinha, learned SC 19 for the State.

2. The petitioners have moved the Court for the following reliefs:-

"(i) To quash the Bid Notice issued vide Memo No. 40 dated 08.01.2020 as contained in Annexure-13 whereby and whereunder the Fisheries Officer, Darbhanga, the Respondent No. 3 has fixed the date for settlement of total 119 fish jalkars of the Jale Block for the settlement period from 2019- 20 to 2023-2024 (01.07.2019 to 30.06.2024) to be settled through limited bid on 01.02.2020, and on 04.02.2020 and thereafter through the open bid fixed on 24.02.2020, 25.02.2020, 26.02.2020, 27.02.2020, 03.03.2020, 04.03.2020, 16.03.2020 and 17.03.2020 in the office of District Fisheries Officer, Darbhanga.

(ii) To quash the Bid Notice issued vide Memo No. 43 dated 08.01.2020 as contained in Annexure-15 whereby and whereunder the Fisheries Officer, Darbhanga, the Respondent No. 3 has fixed the date for settlement of total 30 fish-cum-Makhana Jalkars of the Jale Block for the settlement period from 2019-20 to 2023-2024 (01.10.2019 to 30.09.2024) to be settled through limited bid on 06.02.2020, and on 12.02.2020 and thereafter through the open bid fixed

on 24.02.2020, 25.02.2020, 26.02.2020, 27.02.2020, 03.03.2020, 04.03.2020, 16.03.2020 and 17.03.2020 in the office of District Fisheries Officer, Darbhanga.

(iii) To quash the communication vide Letter No. 14 dated 04.01.2020 as contained in Annexure-12 issued by the District Fisheries Officer, Darbhanga, the Respondent No. 3 whereby and whereunder the Respondent No. 3 has rejected the application filed by the petitioners for settlement of fish jalkars and fish-cum-makhana jalkars situated within the Jale Block.

(iv) To command upon the Respondent No. 3 the District Fisheries Officer to settle all the fish jalkars and fish-cum-makhana jalkars situated within Jale Block with effect from 2019 to 2024 (01.07.2019 to 30.06.2024 fish jalkars and 01.10.2019 to 30.09.2024 fish-cum-makhana jalkars) with the society on the reserve jama as resolved in the Annual General Meeting dated 24.04.2019 and 13.08.2019 and subsequently confirmed and resolved in the Extra-Ordinary General Meeting of the society dated 07.01.2020.

(v) To restrain the District Fisheries Officer, the Respondent No. 3 from settling the jalkars situated within the Jale Block through limited/open bid."

3. At the very outset, learned counsel for the petitioners has brought notice of the Court order contained in Memo No. 201 dated 31.01.2020 issued by the Respondent No. 3, District Fisheries Officer, Darbhanga by which the date of settlement of Jalkar has been extended.

4. Learned counsel for the petitioners submitted that they may be permitted to withdraw this petition to approach the Respondent No. 3 themselves in the matter.

5. Learned counsel for the State does not object.

6. Accordingly, the writ petition stands disposed off as withdrawn with liberty aforesaid.