(2008) 07 PAT CK 0017

In the Patna High Court

Case No : LPA No. 603 of 2002

Singhwara Anchal Matsyajivi and Another — APPELLANT

Vs

The State of Bihar and Others — RESPONDENT

Date of Decision : 17-07-2008

Acts Referred:

Citation : (2008) 4 PLJR 323

Hon'ble Judges : J.N. Singh, J;Barin Ghosh, J

Bench : Division Bench

Advocate : Deepak Kumar, for the Appellant;

Judgement

Barin Ghosh & J.N. Singh, JJ.—Having regard to the fact that the facts and circumstances of both these appeals are almost identical, we have decided to dispose both of them by this common judgment. In the writ petitions, which have been dismissed by the judgments and orders under appeal, the appellants-Fishermen Cooperative Societies challenged settlement of fishing rights in favour of respondents in the writ petitions. Such challenge did not succeed. However, since the periods of such settlements have already expired, the present appeals challenging the findings recorded in the judgments and orders under appeals in relation thereto have become academic. Learned Counsel for the appellants, therefore, does not press the contentions of the appellants in the appeals in respect of such findings. The judgments and orders under these appeals have directed the appellants to pay their lawful dues to the State Government. Learned Counsel for the appellants submitted that applications of the appellants seeking exemption from payment of such liability are pending, but while such applications were pending a sum in excess of such liability was realized by the State by way of adjustment and as such State may be directed to decide the applications of the appellants for exemption at an early date.

2. In view of what has been stated above, the appellants are accepting that part of the judgments and orders under appeal which directs the appellants to pay their lawful dues to the State. this Court, therefore, has nothing further to

determine, except determination of exemption applications of the appellants.

3. We, accordingly, direct the appropriate authority of the State to decide the applications of the appellants seeking exemption at an early date. These appeals are, thus, disposed of.

