



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 10441 of 2025

Malik

.....Petitioner(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt. Of
Revenue Lko. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Shrey Shukla, Alok Kumar Tiwari
Counsel for Respondent(s)	: C.S.C., Dilip Kumar Pandey

Court No. - 3

**HON'BLE SHEKHAR B. SARAF, J.
HON'BLE PRASHANT KUMAR, J.**

1. Heard learned counsel for the parties.
2. This is a writ petition under Article 226 of the Constitution of India wherein the writ petitioner has made following main prayer(s):

"i) ISSUE writ, order or direction in the nature of MANDAMUS commanding the opp. parties to execute the lease deed in favour of the petitioner pursuant to the auction dated 25.11.2024 in respect of the pond situated in Village Vijay Grunt, Tahsil- Mishrikh, District Sitapur in accordance with law."

3. Several matters have been filed against the Fisheries Department, wherein in spite of auction being held by the Fisheries Department for different ponds, the possession of the pond is not being given to the petitioner. Neither the lease deed was issued in favour of the petitioner. It appears that it is a trend to auction the ponds and thereafter not hand over the pond to the person, who wins the said tender. Another situation is also seen wherein possession has not been given to the person, who has won the tender and the person is kept in dark. When the writ petitions are filed, lawyer appearing on behalf of the Fisheries Department informs the Court that the said tender has been cancelled, but counsel appearing for the Fisheries Department is not able to indicate as to whether such

information of cancellation of tender was ever provided to learned counsel for the petitioner.

4. The above mechanism is quite devious in nature, wherein it clearly appears that this entire action of not giving the ponds to the different people for carrying out fisheries is causing a huge loss to the public exchequer, wherein unknown people continue to carry out fishing activities illegally. In earlier writ petitions also, we have pointed above factual situation, but it appears that the Fisheries Department has not taken any steps to remedy the situation.

5. In light of the same, we direct the Director, Department of Fisheries, State of U.P. to file a report before this Court indicating number of ponds available with the State of U.P., which are normally given on lease for fishing activities. The report should further provide details of number of auctions that have been carried out and the reasons for cancellation of the said auctions. Further information should be provided with regard to the number of ponds in which presently there is subsisting lease granted to different individuals and number of ponds, in which no auction has been carried out and or no lease granted to a private person for carrying out fishing activities.

6. The report as directed above should be filed within two weeks from date.

7. List this case on December 3, 2025 in the list of fresh cases.

(Prashant Kumar,J.) (Shekhar B. Saraf,J.)

November 14, 2025

Anupam S/-