

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6159 OF 2015

Karmavir Maschya Vyavsaik ... Petitioner

V/s.

The State of Maharashtra & ors. ... Respondents

Mr. Mateen Shaikh for the petitioner.
Mr. P.P. Kakade, AGP for the State.

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

2nd September, 2015.

P.C.

The petitioner was granted a contract of fishing for the period between 2010 to 2015. The contract was to expire on 30th June, 2015. It is the petitioner's case that the communication was made to the petitioner by the respondents on 15th April, 2015 (Exhibit C) for submitting an appropriate application for renewal of the contract prior to 25th April, 2015. The petitioner claims to have submitted such a proposal for renewal of contract in accordance with the Government Resolution issued on 15th October, 2001 and the instructions prescribed and the Government Resolution dated 25th February, 1991. It is submitted that the respondent failed to award the contract to the petitioner.

2. Learned AGP submits that by communication dated 16th July, 2014, the State had adopted a revised policy of awarding fishing contract under G.R. dated 26th June, 2014.

3. The petitioner's grievance is that though his contract was to expire on 30th June, 2015, the process for renewal of the contract was already initiated. Therefore, even if the stay granted by the State was vacated on 30th June, 2015, the petitioner had vested right to get the contract awarded in his favour.

4. We have perused the record and the relevant clauses of the subject Government Resolution. The revised policy of the State as reflected in the clause 4(1) of G.R. dated 26th June, 2014 states that in cases like petitioner, if there is one registered Society in the prescribed area, then the contract shall be awarded by a public auction. It is submitted that petitioner is the only Society registered in the subject area.

5. The State is of the view that further contracts would be awarded in accordance with the revised policy of the State and as the stay granted to the GR dated 26th June, 2014 was vacated on 30th May, 2015, the State was of the opinion that procedure for awarding of contract is to be completed in accordance with the revised policy. The petitioner prays for a direction to quash and set aside the tender notice dated 17th June, 2015 and further direction to allot the contract for fishing in Nimgaon (M) tank, Taluka Marshisar, Dist, Solapur to the petitioner Society.

6. In the facts of the case, we are not inclined to issue writ and direction to respondent to award contract. The petitioner does not have any vested right to get the contract executed in his favour. The Petition is dismissed.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.