

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.5424 of 2014

(Suwarna Macchimar Sahakari Sanstha Maryadit, Chani, Dist. Yavatmal,
through its President v. State of Maharashtra, through its Secretary,
Department of Fisheries, Mantralaya, Mumbai, and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri G.S. Mishra, Advocate for Petitioner.

Ms P.D. Rane, AGP for Respondent Nos.1 to 4.

Shri A.M. Ghare, Advocate for Respondent No.5.

Coram : R.K. Deshpande, J.

Dated : 9th March, 2015

The Societies located within 5 miles' periphery of the Singandoh Tank are entitled to be considered for allotment of tank giving rights of fisheries. If there is more than one Society, the allotment has to be by way of auction. The report relied upon by the authorities indicates that the petitioner-Society is located beyond 5 miles' periphery of the Singandoh Tank. There is nothing produced on record to show that the area of operation of the petitioner-Society extends over the Singandoh Tank. Merely because the petitioner-Society was allotted the tank for a period of 20 years, that would not be enough. Even if it is assumed that the criteria is of 5 kms. and not 5 miles, still the distance of the petitioner-Society from the tank in question is of 10 kms.

In view of this, I do not find any reason to interfere in the impugned order. The petition is dismissed.

At this stage, the learned counsel for the petitioner seeks

continuation of the interim order for a further period of six weeks.
The request is opposed. The prayer is rejected.

Judge.

Lanjewar