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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**BENCH AT AURANGABAD**

**WRIT PETITION NO.8960/2015**

The Proposed Tukai Fishery Producer  
Cooperative Society Ltd.Mundkhede.

...Petitioner..

**Versus**

The State of Maharashtra & others.

...Respondents...

.....

Shri P.D.Bachate, Advocate h/f P.D.Patil, Advocate for  
the Petitioner.

Shri B.V.Virdhe, AGP for Respondent nos.1 to 4.

.....

**CORAM: S.V. GANGAPURWALA &  
K.L. WADANE, JJ.**

**DATE: 26.09.2016**

**ORDER :**

1] Learned counsel for the petitioner submits that the petitioner had filled in the tender pursuant to the advertisement for fishing rights on Mundkhede tank for a period from 1.7.2014 to 30.6.2019. The petitioner was the second highest bidder. The first highest bidder did not deposit the amount. As such, the petitioner was asked by the authority to show its willingness to deposit

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the amount. The petitioner showed its willingness and even deposited the amount for the first year. The higher authority thereafter directed not to allot the tender to the petitioner. As such, the present writ petition is filed.

2] Learned counsel for the petitioner submits that the petitioner subsequently did not deposit the amount as for the first year, the petitioner had deposited Rs.11,55,000/-, however, as there was very less water, the petitioner suffered loss and could do fishing business of only Rs.5,00,000/-. The learned counsel submits that it is because as the water was less, the fishing could not be advantageously done. Now this year, the petitioner may be in a position to have a proper fishing business. According to the learned counsel, the petitioner would approach the State authorities for continuation of the contract.

3] It is not disputed that the petitioner was the second highest bidder. This Court had granted interim relief in favour of the petitioner. The petitioner has deposited an amount of Rs.11,55,000/- for the first year. However, it appears that for subsequent year, the

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petitioner could not deposit the amount.

4] As the petitioner has shown its willingness to approach the State Government, the petitioner may have recourse to the same.

5] In the light of the above, writ petition is disposed of. No costs. In view of disposal of writ petition itself, Civil Application No.11832/2015 also stands disposed of.

**(K.L. WADANE, J.)**

**(S.V. GANGAPURWALA, J.)**