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

WRIT PETITION NO.1854 OF 2015

Devji Bhaya Jethwa and Ors. ... Petitioners

Vs.

The Union of India and Ors. ... Respondents

Mr. Amitkumar D. Sale for the Petitioners.

Mr. Shrishailya Sadashiv Deshmukh for the Respondent No.2.

**CORAM : A.S. OKA &
A.A. SAYED, JJ.**

DATE : 20th OCTOBER, 2016

PC.

. **Not on board. Taken on board.**

1 The learned counsel appearing for the Administration of Union Territory of Daman & Diu has placed on record the order dated 31st August, 2016 passed by the Collector.

2 The challenge in this Petition is to the public notice dated 27th January, 2015. By the said notice, applications were invited for allotment of the Government land on annual lease for the purposes of shrimp farming.

3 The order dated 31st August, 2016 passed by the Collector which is taken on record and marked 'X' for identification records that revised lay out plan prepared by MPEDA contravenes the provisions of Coastal Aquaculture Authority Act, 2005. Second paragraph of the said order records that revised lay out plan for development of 79 units of shrimp farming was prepared by MPEDA leaving 100 meters distance from the creek. It is recorded that the Chairman of the Coastal Aquaculture Authority, Chennai has clearly stated that no coastal aquaculture shall be carried out within 200 meters of High Tide Lines, even from the creek.

4 Hence, the challenge to the impugned notice does not survive. The learned counsel appearing for the Petitioners expressed AN apprehension that the administration may come out with a similar public notice. Apart from what we have quoted above from the order dated 31st August, 2016, the order of the Collector records that it is not possible for the administration to move forward with the project of shrimp farming development in Diu District. This statement takes care of the apprehension expressed by the learned counsel appearing for the Petitioners. Subject to what is observed, the Petition is disposed of.

(A.A. SAYED, J)

(A.S. OKA, J)