

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

WRIT PETITION NO. 5084 OF 2015

Gangasagar Matsyapalan Sahakari Sanstha Maryadit, Bhiwapur, Dist.Gadchiroli,thr.its Secretary

-vs-

The State of Maharashtra, thr.the Secretary, Rural Development and Water Conservation
Department and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. R.M.Pande, counsel for the petitioner.
Mr. V.P.Maldhure, AGP for the respondent No.1.
Mr. Jayant Mokadam, counsel for the respondent Nos.2 to 4.

CORAM : SMT. VASANTI A NAIK &
KUM. INDIRA JAIN, JJ.

DATE : 13.10.2016.

By this writ petition, the petitioner has sought a direction against the respondents to continue the lease in respect of fishing rights in the water tank at Walsara in favour of the petitioner.

It is not in dispute that during the pendency of the writ petition, the lease for the fishing rights in the concerned tank in favour of the petitioner was cancelled in February, 2016. In view of the cancellation of the lease, the cause for filing the writ petition would not survive. It would not be proper to grant permission to the petitioner to amend the writ petition, as the petition would be cumbersome in view of the insertion of the proposed amendment, which is very longish. In the interest of justice, it would be necessary to dispose of this writ petition with liberty to the petitioner to file a fresh petition, if so advised.

In view of the aforesaid, the writ petition is disposed of with liberty to the petitioner to challenge the order of cancellation of lease in a fresh petition. No order as to costs. The points raised in the petition are kept open.

JUDGE

JUDGE