

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

921 WRIT PETITION NO. 2916 OF 2013

JAY DAYANANDBABA MATSYAVASAIK SAHAKARI
SANSTHA MARYADIT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Shri. Mahesh R. Sonawane, Advocate, for petitioner.

Shri. A.S. Shinde, Assistant Government Pleader, for
respondent Nos.1 to 6.

Shri. K.J. Suryawanshi, Advocate, for respondent No.7.

Coram: T.V. NALAWADE, J.

Date: 7 July 2017.

ORDER:

1) The petition is filed to challenge the order made by the Commissioner (Fisheries) Maharashtra State, Mumbai in Revision No.5/2012 which had arisen out of the judgment and order dated 13-7-2012 passed by the learned Deputy Registrar, Co-operative Societies (Fisheries), Maharashtra State, Mumbai. Both the sides are heard.

2) It appears that respondent No.7-Society had sent amendment in the bye-laws for approval to the authority. The respondent society has added "Jivrekha Tank" in the bye laws to show that it will be doing business in respect of "Jivrekha Tank" and this amendment is allowed. It appears that the present petitioner who is also a fishery society, has shown the villages like Warkhedi, Firangi, Papal, Tawan, Godhan, Temburni, Akoladev and Kumbharzari in the bye-laws to show that the society will have jurisdiction of these villages and the name of "Jivrekha Tank" was not specifically mentioned in the bye-laws of the petitioner society. As per the Government policy in respect of the same village and the same tank there may be more than one society. In view of these circumstances it can be said that there was right to the respondent No.7 to mention the name of "Jivrekha Tank" in its bye laws. It is also open to the petitioner to go for same amendment. This Court finds no reason to interfere in the order of approval given by the authority. The petition stands dismissed.

Sd/-
(T.V. NALAWADE, J.)

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