

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3377 /2016

(Vasantrao Naik Macchimar Vyavsay Sahakari Sanstha Maryadit VS. The State of Maharashtra and others)

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

Court's or Judge's order

Mr.A.M.Ghare, Adv.for petitioner
 Mr.Amit Chutke, A.G.P for respondent nos.1 and 2
 Mr. F.T.Mirza, Advocate for respondent no.3

**CORAM : B.P. DHARMADHIKARI &
 MRS. SWAPNA JOSHI, JJ.**

DATED : 9th January, 2017

Heard Adv. Ghare for petitioner, Adv. Mirza for respondent no.3 and learned A.G.P Mr. P. Tembhre, for respondent nos.1 and 2.

During hearing, we find that last order i.e. dated 20th April, 2015 passed by Commissioner (Fisheries) for State of Maharashtra, finds that petitioner is eligible to function only on five tanks on which it has been registered. Discussion therein reveals that the order dated 28.2.2014 of District Deputy Registrar (Fisheries) on which petitioner has placed reliance, is not accepted by the higher authority.

This order of Commissioner has attained finality. In the light of facts settled in that order, on 25.4.2016 the tank has been allotted to respondent no.3-society for a period of five years.

Advocate Ghare submits that the order of Commissioner dated 20th April 2015 is without jurisdiction.

That order has not been questioned anywhere and at present, it is final.

In this situation, with liberty to the petitioner to take such other steps as are available in law, in relation to said order dated 20th April 2015, we dispose of the Writ Petition. No costs.

Needless to mention that all other issues involved in the matter, are kept open.

JUDGE

JUDGE

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