

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3298/2018

Jay Bhawani Maschya Vyavsay Sahakari Sanstha Maryadit
..VS..

The State of Maharashtra & ors.

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

Court's or Judge's orders

Shri P.A. Bhosle, Advocate for the petitioner
Shri S.P. Deshpande, Addl. GP for the respondents

CORAM : Z.A.HAQ, J.

DATED : 10/12/2018

Heard.

By this petition, the petitioner – Co-operative Society takes exception to the order passed by the subordinate authorities concurrently rejecting its claim for extension of its contract in respect of fishing tank, for 5 years. According to the petitioner – Co-operative Society, it is entitled for extension of the contract as per the policy of the State Government incorporated in the Government Resolution dated 26/06/2014. It is further submitted that the findings recorded by the Hon'ble Minister that investment of the petitioner – Co-operative Society is not above Rs. 40 Lakhs is also not correct.

It is a fact on record that in 2012 when the petitioner – Co-operative Society was granted the contract, the area of the tank in question was 1605 hectare and subsequently it increased, and in 2015 when the petitioner –

Co-operative Society requested for extension of the contract, the area of the tank was 2587.50 hectare.

The learned Addl. GP has submitted that fresh auction is held and it is undisputed that in the fresh auction, 3rd party (private party) is allotted the contract being the highest bidder. The learned Addl. GP has further submitted that the amount offered by the private party is much higher than the amount at which the petitioner – Co-operative Society was awarded the contract in 2012.

It is undisputed that the petitioner – Co-operative Society has not participated in the auction process.

In the above facts, I am not inclined to interfere with the impugned order.

The writ petition is **dismissed**. In the circumstances, the parties to bear their own costs.

JUDGE

Ansari