

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 5849/2016

(Maa Tuljabhavani Bhujalashayin Matsyayavshay Sahakari Sanstha
Maryadit, Jogaldari **vs.** The Deputy Registrar, Cooperative Society,
Mumbai and 4 others)

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

Court's or Judge's order

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Shri S. S.Khadse, Advocate for petitioner
Shri S.P.Deshpande, Addl.G.P. for respondent nos.1 to 3

**CORAM : R.K. DESHPANDE &
VINAY JOSHI, JJ.
DATED : 18th June, 2019.**

Heard learned counsel appearing for respective parties.

2. The notice issued by this Court on 5th October, 2016 is served upon all the respondents, including respondent no.4 -Dongarkhed Matsyavyavsaik and Zinga Uptadan Sahakari Sanstha, Maryadit; however no one appears for respondent nos. 4 and 5. Shri S.p. Deshpande, learned Additional G.P. appears for respondent nos.1 to 3.

3. On instructions, the learned Addl.G.P. makes a statement that allotment of Chandai Tank for fishing purposes has already been cancelled. Hence, the grievance of the petitioner in respect of allotment of Tank to respondent no.4 does not survive.

4. The petitioners claim to be the individuals engaged in fishing and have lost their land in submerged area of the Tank in question. All such persons who were engaged in the job of fishing have

constituted the petitioner-society and for its registration a proposal was submitted to respondent no.2. The proposal was returned on 7th December, 2015 on the ground that fishing rights were not secured by the respondents. Now the fishing rights having been secured by the respondents, the process of allotment of Tank will have to be carried out afresh and the respondents are, therefore, directed to decide the claim of the petitioner for registration of Society before the allotment process commences. The Writ Petition, therefore, stands disposed of.

JUDGE

JUDGE

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