

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

20 WRIT PETITION NO.13473 OF 2017

PARO MOTIRAM SALAMPURE
VERSUS
THE CHIEF OFFICER THROUGH MUNICIPAL COUNCIL JALNA
AND OTHERS

...
Advocate for Petitioner : Mrs. A.N. Ansari
Advocate for Respondent No.1: Mr. J.J. Patil
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CORAM : V. K. JADHAV, J.
DATED : 02nd March, 2020

PER COURT :-

1. Learned counsel for respondent submits affidavit-in-reply on behalf of respondent no.1. Same is taken on record. A copy of the same is already given to the learned counsel appearing for the petitioner.
2. Learned counsel for the respondent submits that in terms of Resolution dated 21.01.2016 i.e. (Sr. No. 28 of Resolution), the Contract in favour of the petitioner subsist till the March end of the year 2019. Learned counsel therefore submits that considering the above said facts, the petition has become infructuous and deserves to be disposed of.
3. Learned counsel for the petitioner submits that the declaration is sought by way of institution of suit bearing Regular Civil Suit No.90 of 2016 about the status of the

petitioner/plaintiff as a Fishing Contractor on the basis of Resolution passed by respondent no.1 dated 21.01.2016 for a period of 2016-2017, 2017-2018 and 2018-2019 in respect of tank Ghanewadi Talav, situated at Ghanewadi, Taluka & District Jalna. Learned counsel submits that this petition pertains to the temporary injunction order granted by the trial court initially to protect the said status of the petitioner – plaintiff. It appears that the Fishing Contract, on the basis of Resolution No.28 dated 21.01.2016 is for the period of 2016-2017, 2017-2018 and 2018-2019 for three years of the tank Ghanewadi Talav, situated at Ghanewadi, Taluka and District Jalna. The said period was over on 31.03.2019. In view of the same, there is no question arises about the protection by way of injunction to be extended to the petitioner after March 2019 in respect of Fishing Contract in terms of Sr. No.28 of Resolution dated 21.01.2016.

3. In view of this, this writ petition has become infructuous and accordingly disposed of.

(V. K. JADHAV, J.)

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