

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

WRIT PETITION NO.7897/2019

Shriram Fisheries Co-operative Society Ltd. Vs. The State of Maharashtra and 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 P. A. Abhyankar, Advocate for the petitioner.

Ms. S. S. Jachak, Assistant Government Pleader for respondent
Nos.1 to 3.

CORAM : **R.K. DESHPANDE &
A.S. CHANDURKAR, JJ.**

DATED : **13th JANUARY, 2020.**

1. The petitioner is the Fisheries Co-operative Society and challenging the certificates issued in the year 2014 to the Traditional Forest Dwellers who are conferred with rights in respect of the forest produce. The contract of fishing entered into with the petitioner by the respondent for a period of 5 years from 01.07.2013 to 30.06.2018 was terminated on 26.11.2014 on the ground that the Traditional Forest Dwellers have to be given rights in respect of the forest produce. The termination has attained the finality after remand of the matter back by this Court. It is maintained on 07.01.2016.

2. This Writ Petition is filed on 16.11.2019 on the ground that in response to the application dated 05.08.2019 submitted under the Right to Information Act, it is revealed that the process for determination of forest rights was never initiated, which is the significant aspect, and therefore, the

allotment of forest rights by the certificates need to be cancelled.

3. We are not inclined to entertain this petition on 3 counts.

i] That the termination of the contract of the petitioner was effected on 26.11.2014 and it has attained the finality.

ii] That even after remand of the matter back, the representation of the petitioner was rejected on 07.01.2016 and it was not challenged till this date.

iii] We do not find that the petitioner is entitled to file this petition on the basis of the information received subsequent to the decision in earlier Writ Petition, in response to the application under the Right to Information Act.

4. Writ Petition is dismissed.

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