

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

82 WRIT PETITION NO.8013 OF 2022

SAYYAD NAIM SAYYAD MUSA

VERSUS

**THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS**

...

Advocate for Petitioner: Mr. Patale Amol N

AGP for Respondent/State: Mr. P. S. Patil

...

CORAM: RAVINDRA V. GHUGE

AND

ARUN R. PEDNEKER, JJ.

DATE: 02nd AUGUST, 2022

PER COURT:

1. The Petitioner has put-forth prayer clauses 'B' and 'C', as under:-

"B. By writ of mandamus or any other appropriate writ, order or direction in the like nature, the respondent's No.3 and 4 may kindly be directed to pay the loss caused to the petitioner with interest.

C. By writ of mandamus or any other appropriate writ, order or direction in the like nature, the respondent No.3 may kindly direct to stay the procedure of new tender till the finalization of dispute."

2. The grievance of the Petitioner is that some persons claiming to be from the Nagar Parishad office Hingoli, District – Hingoli, came to his fishing tank and poured poisonous liquid material into the tank stating that this is a medicine and it is good for the the purpose of cleaning the pond. Consequentially, the Petitioner noticed that all the fish that he was breeding in the tank, upon being allotted the tank through auction process, died and started floating on the water. He has a video recording clip as well as the photographs evidencing the said incident. The photographs are placed on record.

3. His grievance is that though he approached the District Collector after approaching all other Revenue Authorities and the Municipal Authorities, vide representation dated 29.06.2022, he is rendered remediless and his grievance is still not redressed. He concedes that he did not file an FIR in the light of his

allegation that somebody poured poisonous liquid material into the tank.

4. In view of the above, this Petition is disposed of with a direction to the District Collector, Hingoli to consider the compliant filed by the Petitioner dated 29.06.2022 and carry out an inquiry into his grievance and initiate steps as are permissible in law. Notwithstanding this direction, the Petitioner would be at liberty to avail of a remedy of approaching the Police, if so desired.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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