



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1452 OF 2025
WITH CIVIL APPLICATION NO. 5573 OF 2025
IN WP/1452/2025

Magaswargiya Matsya Vyavsay Sahkari Sanstha Maryadit

VERSUS

The State Of Maharashtra Through
Its Secretary And Others

- Mr. V. P. Savant, Advocate for the Petitioner
- Mr. R. K. Ingole, AGP for the Respondent Nos. 1 to 4/State

CORAM : NITIN W. SAMBRE,
SACHIN S. DESHMUKH, JJ
DATE : JUNE 13, 2025

PER COURT :

1. Vide agreement of allotment dated 30.06.2022 the Petitioner was allotted the contract for fishing as reflected in the said order/agreement for a period of six years.

2. Vide impugned order dated 03.01.2025, the said contract was abruptly terminated and a further order of blacklisting came to be passed on 16.01.2025.

3. The fact remains that both these orders are passed by the Respondents without giving personal opportunity of hearing.

4. The only reason cited in the order of termination is the human right activist has filed a complaint. The copy of same was also not served on the Petitioner, so as to enable him to submit his proper response. Though show cause notice is issued on 08.10.2024 and the explanation was submitted, the same is at all not considered by the Respondents in the impugned order.

4. Apart from above, it is upon the complaint of the private activist the action is taken without causing any enquiry in the matter whether such complaint moved against the Petitioner has any truth or substance.

5. That being so, both these orders i.e., 03.01.2025 and 16.01.2025 are in contravention of the right of hearing guaranteed under Article 14 of the Constitution of India. Hence, both these orders dated 03.01.2025 and 16.01.2025 are hereby quashed and set aside. Respondents shall permit the Petitioner to continue with his fishing right unless and until vide reasoned order the allotment of the Petitioner is

cancelled, after giving him an opportunity of hearing.

6. In view of above, Petition stands partly allowed. All pending Civil Application stands disposed of.

(SACHIN S. DESHMUKH, J.)

(NITIN W SAMBRE, J.)