



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5268 OF 2025

Gadre Marine Export Pvt. Ltd.Petitioner

Vs.

The State of Maharashtra & Anr.Respondents

Adv. Sangramsingh R. Bhonsle, with Adv. Siddharth A. Mehta, Adv. Nrupal A. Dingankar, Adv. Pushkara A. Bhonsle, Adv. Sanmitra Pol, Adv. Naman Sherstra, Adv. Harshada Srikhande, Adv. Vaibhav, for the Petitioner.

Mr. B. V. Samant, Additional Government Pleader with Smt. P. M. J. Deshpande, AGP for the Respondents-State

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 1st AUGUST 2025.

P.C.:-

1. Heard learned counsel for the parties.
2. By this Petition, the Petitioner essentially seeks a direction to the Respondent No.1-The State of Maharashtra Water Resource Department (GoMWRD) to maintain the Reservoir Operation Schedule by storing water at the Pimpalwadi (Dubi) at the full Reservoir Level.
3. Mr. Samant, learned Additional Government Pleader has

filed an Affidavit of Shri. Ganesh Haridas, Executive Engineer, Ratnagiri Irrigation Division, Ratnagiri dated 29th July 2025. In paragraph Nos. 6 and 7 of the said Affidavit, it is stated as under:

“6. As per clause no A-4.1 of State Hydel policy For Development of Small Hydro Power Projects through Private Sector Participation issued vide GR PVT-1204/(160/2004)/HP dated 15/09/2005 Government of Maharashtra Water Resource Department reserves the right to decide release and modify it from time to time as per the requirements Government of Maharashtra Water Resource Department shall make serious efforts to release maximum volume of water in such a manner that it can be used for generation of electricity at desire time. However, The decision of Government of Maharashtra Water Resource Department in this regard shall be final and binding. No claims on this grounds shall be entertained.

7. I say that as far as present position is concerned for year 2025-26, the rectification of Technical issues and necessary repair of Gates structure are already in progress and targeted to complete by march 2026, And hence in coming monsoon season of year 2026, the gates of the Dam will be Operated as per ROS. I say that in such an event, the (Full Reservoir Level) FRL of R.L.132 meter would be available in the Dam and the Petitioner would be in position to generate electricity at maximum level.”

4. Considering what is stated in paragraph Nos.6 and 7 of the aforesaid Affidavit, nothing survives for further consideration in the Petition.

5. Needless to state, that if there is non-compliance of paragraph Nos.6 and 7 of the aforesaid Affidavit, it is open for the Petitioner to file a fresh Petition.

6. The Petition stands disposed of, with the aforesaid liberty.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)