

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3435 OF 2025

M/s. Om Ganesh Kaath Industries

...Petitioner

Versus

State of Maharashtra

Thr Sec Dept. Of Forest And Ors

...Respondents

Mr. Abhay Khandeparkar, Senior Advocate a/w Mr. R.G. Bhagat, Mr. V.S. Kulkarni and Mr. S. Bhilane for the Petitioner.
Ms. P.J. Gavhane, AGP for the Respondents.

**CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.**

DATE : 17 MARCH 2025

P.C.:

1. This petition is filed under Article 226 of the Constitution of India.
2. The petitioner before us is engaged in the business of conversion of Khair wood to katha which is a traditional industry that has been in operational for decades, being duly monitored by the concerned authorities, as claimed by the petitioner.
3. We have heard Shri Abhay Khandeparkar, learned Senior Advocate for the petitioner and Ms. P.J. Gavhane, AGP for the State.
4. Mr. Khandeparkar, learned Senior Advocate would submit that the petitioner is primarily aggrieved by the inaction on the part of respondent nos.2 to 5 not to extend/renew the registration certificate dated 16

December 2019 (at Exh.-B page 31 to the petition) granted to the petitioner, for the purpose of processing khair wood into katha.

5. Mr. Khandeparkar would then submit that the petitioner received an undated letter of February 2023 from the respondents stating that the registration certificate was valid only until 22 February 2023 and therefore, required to be renewed. In this regard, the petitioner addressed a letter dated 21 February 2023 to the respondent authorities requesting them to grant permission to the petitioner on a permanent basis without insisting on a condition for renewal of the said certificate. The respondent through the Deputy Conservator of Forest vide its letter dated 19 April 2023 informed the Chief Conservator of Forest about the grievance of the petitioner and recommended to extend the validity of the said registration certificate dated 16 December 2019 issued in favour of the petitioner without insisting on any time period, as a condition for renewal.

6. Mr. Khandeparkar would then refer to a Public Interest Litigation No.9 of 2024 filed in this Court which, according to him, would affect the rights and interest of the present petitioner. However, without going into the contentions of the petitioner in this regard we leave it open to the petitioner to file appropriate proceedings in the said PIL, as advised.

7. Ms. Gavhane, learned AGP would oppose the petition. There is no written opposition and/or affidavit in reply on record.

8. We have heard the learned counsel for the parties and with their assistance have perused the record.
9. We find that the respondent authorities have not taken any decision on the petitioner's application/representation dated 21 February 2023 to extend/renew the said registration certificate dated 16 December 2019 without insisting on any time limit for such registration. Such application/representation of the petitioner ought to be decided in accordance with law by the respondent authorities.
10. Considering the above, the following order would meet the interest of justice:-

ORDER

- (i) The competent authority of the respondent shall hear the petitioner on its representation dated 21 February 2023 and after hearing the petitioner, the respondent authority shall pass a reasoned order in accordance with law as expeditiously as possible, in any event, not later than within a period of eight weeks from the date this order is presented to the said respondent authority.
- (ii) All rights and contentions of the parties are expressly kept open.
- (iii) The petition is disposed of in the above terms. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]