



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

WRIT PETITION NO. 5576 OF 2023

Sanjivani Matsyapalan Sahakari Sanstha Bagheda

Vs.

The State of Maharashtra and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. C. M. Samarth, Advocate for petitioner.

Mr. S. B. Bissa, AGP for respondent/state.

Mr. S. K. Tambde, Advocate for respondent No. 5.

CORAM : ROHIT W. JOSHI, J.

DATE : 17.09.2025.

. The present petition takes exception to the order dated 28.12.2021 passed by the Commissioner of Fisheries Department, Government of Maharashtra, whereby challenge to the communication/order dated 07.08.2020 passed by the Assistant Commissioner Fisheries, Bhandara came to be rejected.

2. The petitioner had made an application for registration of Fishing Co-operative Society. The said application was rejected vide order dated 07.08.2020 on the ground that the registration was sought in respect of Bagheda Tank and the respondent no.5/society had a subsisting contract for fishing rights in relation to the said tank. The revision was rejected on the ground that the said tank finds mention in the by-laws of the respondent no. 5/society.

3. The learned Advocate for the petitioner states that the registration of the respondent no. 5/society is not against the tank in question. He contends that merely an agreement was executed in favour of the respondent no. 5/society, conferring fishing rights for a particular period. The learned Advocate for the petitioner further states that, as per information received by the petitioner society under the Right to Information Act, the registration of respondent no. 5 is not against the said tank.

4. The learned Advocate for the petitioner, therefore, prays that the orders dated 07.08.2020 and 28.12.2021 be quashed and the matter be remanded to the Assistant Commissioner Fisheries, Bhandara, for adjudication of the application afresh. The learned Advocate for the respondent no. 5/society has no objection for the same.

5. In view of the above, order dated 07.08.2020 passed by the learned Assistant Commissioner Fisheries, Bhandara and order dated 28.12.2021, passed by the Commissioner of Fisheries Department, Government of Maharashtra, are quashed and set aside. The matter is remitted to the file of the learned Assistant Commissioner Fisheries, Bhandara for deciding the application filed by the petitioner afresh.

6. Respondent no. 5 will have a right of audience in the said proceedings. The parties to appear before the

authority on 06.10.2025. Parties to note that fresh notice for appearance will not be issued in the matter.

(ROHIT W. JOSHI, J.)

Tanmay