



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

Writ Petition No.8306 of 2023

Durga Matsyavyavasay Sahakari Sanstha Limited, Dongarkhandala
vs.
State of Maharashtra, through Ministry of Animal Husbandry, Fisheries and Diary
Development, Mumbai and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mrs. R.G. Bajaj, Advocate for the Petitioner.
Mr. Shyam Bissa, A.G.P. for Respondent Nos.1 to 5.
Mr. A.P. Kalmegh, Advocate for Respondent No.6.

CORAM : ROHIT W. JOSHI, J.
DATE : 18th NOVEMBER, 2025.

The present petition is filed challenging the order dated 09/06/2023 passed by respondent No.2-Commissioner of Fisheries and Additional Registrar, Co-operative Societies (Fisheries), Government of Maharashtra, Mumbai rejecting the application for deregistration of respondent No.6-Dongarshewali Matsyavyavsay Sahkari Sanstha (Registration No.433) filed by the petitioner-society.

02. The learned Advocate for respondent No.6 raises a preliminary objection that the petitioner has alternate remedy of filing appeal under Section 152 of the Maharashtra Co-operative Societies Act, 1960 (*hereinafter referred to as "Act" for short*). The learned Advocate for the petitioner seeks leave to withdraw the petition with liberty to avail of alternate remedy of filing appeal.

03. Apart from this, the petitioner has made a prayer for granting exclusive fishing rights to the petitioner-society over Dongarshewali Tank. The petitioner has made an application dated 14/08/2023 (Petition No.14-8/2023) before respondent No.2.

04. The learned Advocate for the petitioner states that for the present, the grievance of the petitioner will be satisfied if respondent No.2 is directed to take appropriate decision on the said application for joint allotment of fishing rights over the aforesaid tank along with respondent No.6.

05. In that view of the matter, respondent No.2 is directed to take appropriate decision on the said application in accordance with law and the prevailing policy on or before 28th February, 2026. Parties to appear before respondent No.2 on 1st December, 2025 for which separate notice will not be issued.

06. The writ petition is disposed of accordingly with direction to respondent No.2 to decide application dated 14/08/2023 filed by the petitioner on or before 28th February, 2026 and granting liberty to the petitioner to challenge registration of respondent No.6-society by filing appeal under Section 152 of the Act. The period spent in prosecuting the present petition, i.e. from 12/12/2023 to 18/11/2025, shall stand excluded for the purpose of computation of limitation.

JUDGE

**sandesh*