



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

Writ Petition No. 589 of 2025

Vasant Macchimar Sahakari Sanstha Maryadit, Wanvarala, Tq. Pusaid, Dist. Yeovatmal
through its Chairman Shri Sheikh Issar Sheikh Nisar ..vs.. State of Maharashtra, through
its Deputy Registrar Co-operative Societies (Fisheries), Mumbai and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. O. A. Ghare, Advocate for the petitioner
Mr. S. B. Bissa, AGP for the State
Mr. C. S. Tamhane, Advocate h/f Mr. M. V. Raut, Advocate for respondent
no. 4

CORAM : ANIL L. PANSARE J.

DATED : 03-02-2025

Heard.

The petitioner – society received a contract of fishing activity for Pus Irrigation Project vide order dated 30-9-2024 for the period from 1-7-2024 to 30-6-2029. The respondent no. 1, however, vide impugned order dated 11-11-2024 permitted respondent no. 4 to challenge the amendment of bye-laws in favour of petitioner-society by condoning delay of about eight years. The delay has been condoned without assigning any reason, rather it has been condoned on the ground that on merit, the respondent no. 4 has good case. This order, according to learned counsel for the petitioner, is contrary to well settled principles of law that while considering the application for condonation of delay, the Court/ authorities should not go into the merits of the case and should restrict the enquiry on the aspect of due diligence and sufficient reasons. The another order which is dated 9-1-2025 is something that will be dependent on the findings rendered by respondent no. 1 as regards permitting respondent no. 4 to agitate the claims after eight years.

Issue notice, returnable in two weeks.

Learned Assistant Government Pleader waives notice for respondent nos. 1 to 3. Learned Advocate Mr. C. S. Tamhane instructed by Advocate Mr. M. V. Raut waives notice for respondent no. 4.

In the meantime, there shall be stay to the impugned orders.

(Anil L. Pansare, J.)

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