

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2016 OF 2021**

Mariyayi Machhimaar Sahakari Sanstha Maryadit ... Petitioner
Versus
Department of Fisheries and Ors. ... Respondents

Mr. Zaman Ali, for Petitioner.

Mr. P.P.Kakade, Govt. Pleader with Mr. A.I.Patel, AGP, for State.

Mr. Sharan Jagtiani, Senior Advocate appointed as Amicus Curiae, present.

Mr. Saket Mone with Mr. Subit Chakrabarti, Mr. Shrey Shah i/by Vidhii Partners, for MSRDC.

Ms. Jaya Bagwe i/by Mrs. Sharmila Deshmukh, for Respondent No.5.

**CORAM: S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE : 29th OCTOBER, 2021

P.C. :

1. Perused the Affidavit in Reply filed on behalf of the State Government.

Also perused the Affidavit in Rejoinder filed by the Petitioner. The learned Government Pleader states that the State will consider all the submissions/suggestions made by the Petitioner in the Affidavit in Rejoinder and will try to comply with the same. The statement is accepted.

2. Learned Amicus Curiae appointed by the Court draws our attention to paragraph No.13 of the Affidavit in Reply , wherein it is interalia stated that “a broad framework for Fishers Compensation Policy of Maharashtra 2021 with draft point of submission is placed before this Court by separate compilation”. He has rightly

submitted that the Court has asked the State to work towards the water policy i.e. general policy independent of the activity of fishing. The State shall comply with the directions given by the Court qua such general policy set out in paragraph 69 of our order dated 12th August, 2021 which is reproduced hereunder :

“69. Although for the present the State has not indicated that it will undertake such an exercise for framing a state-wide policy by this Order we hereby direct Respondent No.1 to frame such a policy. The suggestions as to the content and approach are obviously in no way binding. The purpose of including them in this order was only to expedite and facilitate such an exercise.”

3. Stand over to 1st December, 2021 to report compliance.

(MILIND N. JADHAV, J.)

(S.J.KATHAWALLA, J.)