

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

49 WRIT PETITION NO. 4291 OF 2016

RUSTUM BABASAHEB PAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioners : Mr.S.B. Sontakke
AGP for Respondents: Mr. P.S. Patil

...
CORAM : R. M. BORDE & K.L. WADANE, JJ.
Date: July 18, 2016

...
PER COURT :-

1 The petitioner is praying for issuance of direction to respondent No. 2 to transfer the certificate of project affected persons category (PAP) in the name of petitioner No.4. The petitioner is also seeking quashment of the communication dated 24.9.2015 as well as the communication dated 9.3.2016 issued by respondent No.4.

2 In view of Policy prescribed earlier by the Government under Circular dated 26.3.2007 and 29.3.2011, there was a bar of transfer of PAP certificate for more than one occasion. However, the State Government has taken a decision permitting transfer of PAP certificate in the name of a legal heir of the third generation.

3 It would be appropriate for respondent No.2 to take decision in accordance with the Government Resolution dated 2.5.2016. The respondent No.2 is directed to take appropriate decision in accordance with the Policy prescribed under the resolution dated 2.5.2016 as expeditiously as possible and issue necessary certificate on consideration of the request made by the petitioner, on its own merit, as expeditiously as possible and within a period of six weeks from today. The rejection of request made by the petitioner earlier, shall not be an impediment for consideration of the fresh request of the petitioner.

4 The writ petition stands disposed of accordingly.

(K.L. WADANE, J.)

(R. M. BORDE, J.)