

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.11133 OF 2015****Nitin Vithal Tarate Vs. The Union of India and others.**

|                                                                                                            |                           |
|------------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders |
|------------------------------------------------------------------------------------------------------------|---------------------------|

Mr.V.V.Tarde, advocate for the petitioner.  
Mr.N.B.Patil, A.G.P. for the State.

**CORAM : S.V.GANGAPURWALA AND  
K.K.SONAWANE, JJ.**  
**Date : 04.08.2016.**

**PER COURT :**

1. Heard.

2. Mr.Tarde, learned counsel submits that in 2011, the petitioner is granted the Project Affected Person's Certificate, however, his name is not included in the wait list. The land of the petitioner's forefather has been acquired. The Respondents be directed to give employment to the petitioner and issue appointment order. Even representation is given to that effect. However, no action is taken.

3. Learned A.G.P. states that in view of the judgment of the Full Bench of this Court in the case of **“Rajendra Pandurang Pagare and another Vs. State of Maharashtra and others”**

reported in **2009 (4) Mh.L.J.961**, the petitioner has to compete amongst Project Affected Persons category. In view of the judgment of the Full Bench of this Court in a case of **“Rajendra Pandurang Pagare and another Vs. State of Maharashtra and others”** referred to supra, direct appointment can not be given to the petitioner even from PAP category. Such person has to compete amongst the PAP category persons for the appointment.

4. In view of that, no relief can be granted to the petitioner. The Writ Petition is disposed of. No costs.

**( K . K . SONAWANE , J . )**

**( S . V . GANGAPURWALA , J . )**

Dt.04.08.2016.  
asp/office/wp11133.15

