

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13009 OF 2017

Raghav Devba Magre

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Sanket S. Kulkarni, Advocate for the Petitioner.

Shri S. B. Pulkundwar, A.G.P. for Respondents.

CORAM : **S. V. GANGAPURWALA &**
A. M. DHAVAL, JJ.

DATE : **24th January, 2018**

PER COURT :

1. Mr. Kulkarni, learned advocate for the petitioner submits that the petitioner is holding only 34 R. land. The reason given for rejection of the application for Project Affected Persons certificate is that the petitioner holds more than 1 Hectar land. The learned advocate relies on the revenue record to buttress his submission that he owns only 34 R. land.
2. We have also heard the learned A.G.P.
3. The Government Resolution dated 3rd May, 2010 as pointed

out would not enure to the benefit of the petitioner. In the said Government Resolution dated 3rd May, 2010 it is stated that for applicability of the provisions of Project Affected Persons minimum 20 R. land ought to have been acquired. The petitioner owns 36 R. land and 2 R. land of the petitioner is only acquired.

4. The learned advocate for the petitioner submits that in the family more than 2 Hecter land is acquired. The documents on record shows that the partition was effectuated and area of 36 R. land came to the share of the petitioner and from that only 2 R. land is acquired.

5. Taking the case either way, the petitioner would not be entitled for any relief. Though the reasons stated in the impugned order may be eventually corrected, still the petitioner would not be entitled for any relief as per Government Resolution dated 3rd May, 2010.

6. The writ petition is accordingly disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]