

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 15053 OF 2017

Vishnupant Gunwatrao Chewale

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri S. S. Thombre, Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, Addl. G. P. for Respondent Nos. 1 to 3.

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

DATE : **26th February, 2018**

PER COURT :

1. Learned advocate for the petitioner and the learned A.G.P. are *ad idem* that the case of the petitioner is covered as per order dated 18th December, 2012, passed in Writ Petition No. 7775 of 2012. The acquisition of the land of the petitioner is prior to 1983, as such, the Government Resolution dated 23.8.2004 would not apply.

2. In the light of above, the impugned order is quashed and

set aside. The respondent No. 2 shall reconsider the application of the petitioner for grant of Project Affected Persons certificate and shall not reject it on the ground that the petitioner has a land more than 1 Hecter. The same shall be decided expeditiously and preferably within three (3) months.

3. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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