

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 1368 OF 2018

Amol S/o Dhondiram Garje ...Petitioner

Versus

State of Maharashtra and Ors. ...Respondents

Mr. P.R. Nangare, Advocate for Petitioner  
Mr. K.B. Jadhavar, Assistant Government Pleader  
for Respondents/State

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

**DATE : 27<sup>th</sup> FEBRUARY, 2019**

**ORAL ORDER:**

1. Heard the learned Counsel for the petitioner and the learned Assistant Government Pleader.
2. Initially, Dagadabai was Project Affected Person (PAP). She nominated her son Sheshrao Waman Garje for issuance of PAP certificate. The PAP certificate was issued to Sheshrao on 2<sup>nd</sup> November, 1979. Thereafter, the said certificate was transferred in the name of Keshav Dhondiram Garje. It is submitted by the petitioner that Keshav Dhondiram has now consented to transfer the certificate in the name of petitioner. The said PAP certificate has not been utilized for any purpose till now according to the petitioner. The

respondent authority has directed the petitioner to bring No Objection Certificate of all other legal heirs for transfer, so also, the other documents.

3. The petitioner certainly will have to comply with the documents. It is submitted that Keshav Dhondiram has consented for transfer of the PAP certificate in the name of petitioner. If that be so, then express consent of all the legal heirs may not be necessary. The respondent authority shall decide the application of the petitioner for transfer of the PAP certificate in his name after considering the genuineness of the affidavit filed by Keshav Dhondiram Garje, so also, compliance of all other documents. The decision shall be taken expeditiously, and preferably within a period of three months. The authority shall also consider whether the PAP certificate has been used earlier by any certificate holder.

4. The Writ Petition is disposed of. No costs.

**[ A. M. DHAVAL ]**  
**JUDGE**

**[ S. V. GANGAPURWALA ]**  
**JUDGE**

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