

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

WRIT PETITION NO.2361 OF 2018

**LAXMI JIWAN BARHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Shri T. M. Venjane h/f Wani Girish V.
AGP for Respondents No. 1 to 3 : Shri S. N. Morampalle
...

**CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.**

DATE : 22nd AUGUST, 2019.

PER COURT :

1. Mr. Venjane, learned counsel for the petitioner submits that petitioner is a widow of deceased Jiwan Barhe. The petitioner had given application for transfer of the Project Affected Persons (P.A.P) certificate in her name as the husband of the petitioner died. The husband of the petitioner had not taken benefit of Project Affected Persons (P.A.P) certificate. The petitioner has filed copy of the succession certificate with the authority.

2. The affidavit is filed by respondent Nos. 2 and 3 to the effect that petitioner did not comply with the deficiencies pointed in the letter dated 3-8-2017. The petitioner is at fault.

3. It is contended that the petitioner has submitted the succession certificate. Since, the children are minor, the other legal heir of the deceased husband will be the mother (if alive).

4. We grant petitioner four weeks time to submit additional documents if any. The Deputy Collector, Rehabilitation shall decide the application of the petitioner for transfer of P.A.P. certificate considering that the legal heirs of the deceased husband of the petitioner will be the petitioner, the children of the deceased husband and the mother (if alive). The petitioner can file affidavit with regard to the legal heirs. The application shall be decided by the Deputy Collector, Rehabilitation preferably within three months.

5. The Writ Petition is disposed of in the aforesaid terms.

(K. K. SONAWANE, J.)

(S. V. GANGAPURWALA, J.)

SVH