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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 85 OF 2023

Dipak Bhaskar Karad and Anr ... Petitioners

vs.

Deputy Collector(Rehabilitation) Nashik ... Respondents
and Ors

Mr. Kishor Patil, i/b Mr Pratik B. Rahade, for the Petitioners.

Mr. Asif I Patel, Addl GP, a/w Mrs M.S. Bane, AGP, for
Respondent Nos. 1 to 4.

Mr Vivek B. Rane, for Respondent No.6.

**CORAM : R. D. DHANUKA AND
GAURI GODSE, JJ.**

DATED : 20 MARCH, 2023

P.C. :-

1. By this Petition, filed under Article 226 of the Constitution of India, the Petitioner seeks a Writ of Certiorari for quashing and setting aside the order dated 26th July 2022 passed by Respondent No.1 in REHABILITATION/SECTION 10 (2)/ 587/ 2022, where by the Certificate dated 20th February 2019 issued in favour of the Petitioner is cancelled on the basis of the objections that were filed by Respondent Nos. 5 and 6.

2. Respondent No.5 had already filed a letter in the month of May 2022, thereby withdrawing the objection. The said withdrawal of objection of Respondent No.5 is already recorded in the impugned order. With respect to the objection that was taken by Respondent No.6 is concerned, there is an Affidavit in

Reply on behalf of Respondent No.6 filed in the present Petition thereby stating that the Respondent No.6 has no objection in respect to the Certificate of Project Affected persons which was granted in favour of the Petitioner.

3. Affidavit filed on behalf of the Respondent No.6 also states in Paragraph 5 that the objection was raised due to misunderstanding and the Respondent No.6 has no grievance in respect of Certificate that was granted in favour of the Petitioner. The objections raised by Respondent Nos. 5 and 6 are already withdrawn. Nothing survives to the challenge to the Certificate which was granted in favour of the Petitioner, which came to be cancelled. Hence, in view of the aforesaid, the Writ Petition is allowed in terms of prayer clause(a). In view of the same, Certificate issued in favour of the Petitioner on 20th February 2019 stand restored.

4. Writ Petition is allowed.

5. Parties to act on the authenticated copy of this order being issued by the registry.

(GAURI GODSE, J.)

(R. D. DHANUKA, J.)