



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**WRIT PETITION NO.5887/2023**

Shri Uttam Chintaman Sayare and another

Vs.

State of Maharashtra, through its Secretary for Revenue and Forest Department,  
Mumbai and others

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

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Shri A.B. Patil, Advocate for petitioners  
Ms Deepa I. Charlewar, AGP for respondent Nos.1 to 3  
Shri B.N. Mohata, Advocate for respondent No.4

**CORAM : AVINASH G. GHAROTE AND**

**SMT. M.S. JAWALKAR, JJ..**

**DATED : 10/04/2024**

The land of the grandfather of the petitioner is admittedly acquired for the purpose of Aerial Ropeway by the respondent No.4-Company, which position is not disputed. What is disputed, is that the petitioner is not entitled to project affected persons certificate. It is contended that this position is covered by the judgment rendered in *Hanuman Ramaji Chikankar Vs. State of Maharashtra in Writ Petition No.3602/2020* decided on 02.01.2023.

2. Learned Assistant Government Pleader appearing for respondent No.1 to 3 is opposing the same. However, considering that the facts in *Hanuman Ramaji Chikankar Vs. State of Maharashtra in Writ Petition No.3602/2020* (page 92) are identical, we allow this petition by quashing the communications dated 11.10.2022 and 23.01.2023, by the respondent No.3 and by directing the respondent No.3

to issue project affected persons certificate, to the petitioner No.2 on account of acquisition of the land admeasuring 0.16.20 HR of Survey No.100 of Mouza Juni Kamptee, Tahsil Parshioni, District Nagpur, belonging to the grandfather of the petitioner No.2, namely, Chintaman Runja Sayare.

3. The writ petition is accordingly allowed in above terms. No order as to costs.

(SMT. M.S. JAWALKAR, J.) (AVINASH G. GHAROTE, J.)

*R.S. Sahare*