



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

989 WRIT PETITION NO. 9188 OF 2021

Anand Uttamrao Shinde

VERSUS

The State Of Maharashtra And Others

...

Mr. Dattatraya R. Jayabhar, Advocate for the Petitioner

Mr. K. K. Naik, AGP for Respondents/State

...

CORAM : R. G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.

DATED : DECEMBER 04, 2025

P.C.:

1. Heard.

2. The land of the petitioner has been acquired for Maharashtra Industrial Development Corporation ("MIDC"). The petitioner therefore asked for issuance of Project Affected Persons ("PAP") Certificate in his favour. The respondents by its affidavit in reply has come with a case that no such certificate could be issued if the land is acquired for MIDC.

3. Clause (C) of the Government Resolution dated 21.01.1980 reads thus :-

"(C) In the context of the above employment concession, "persons whose houses and/or land have been acquired in whole or in part due to irrigation, electricity or any other project undertaken by the Central Government or the State Government." Such persons should be recognized as project victims. In this context, it is not necessary to take into account whether the project for which the house/and/or land has been acquired in whole or in part has been notified under the "Maharashtra Project Affected Persons Rehabilitation Act, 1976" or not. Also, in the context of employment, the husband or wife of the project victim, the unmarried sons of such a person, the unmarried daughters of

such a person, the unmarried brothers or sisters of such a person, as well as the mother and father of six persons, should be considered as members of the family of the project victim and as dependents of such a project victim. According to this decision, the definition of "person dependent on the project affected person" given in the Government Gazette, Revenue and Forest Department No. RPA-1074/3500/R-1 dated 20th March 1975 should be amended accordingly."

[Translated by official Translator of Bombay High Court Bench at Aurangabad]

4. In view of the aforesaid clause, the petitioner whose land has been acquired for industrial purpose is also entitled to get PAP Certificate. We therefore allow the Writ Petition in terms of prayer clauses (c) and (d).
5. Respondents to issue PAP Certificate if not already issued either to the petitioner or to the member of his family.
6. This exercise is to be completed within a time-frame of four (4) months from the date of receipt of copy of this order.

[ABASAHEB D. SHINDE, J.]

[R. G. AVACHAT, J.]