



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1468 OF 2018

Raju Navnath Ghugarkar

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....
Mr. M.S. Deshmukh, Advocate h/f Mr. S.D. KOTkar, Advocate for petitioner
Mr. S.R. Yadav-Lonikar, A.G.P. for respondents
....

CORAM : R.G. AVACHAT AND
SANDIPKUMAR C. MORE, JJ.
DATE : 04th APRIL, 2025

PER COURT :

1. The challenge in this petition is to order dated 14th June, 2017 passed by the Deputy Collector (Re-settlement), Ahmednagar turning down the claim of the petitioner for issuance of certificate of "Project Affected Person (PAP)". The order impugned herein indicates that such certificate was issued to Vijay Madhav Harishchandre @ Vijay Annasaheb Perane, adopted son of Madhav Hansraj Harishchandre, and therefore, no such second certificate could be issued in the family.

2. Learned counsel for the petitioner brought to our notice explanation added to definition of the term 'affected person' to submit that in case of an ancestral land, all the persons of the joint family and even

daughters of the deceased, member of the joint family, would be entitled for grant of such certificate.

3. We do not propose to dwell at length on the merits of this issue. The land has been acquired way back in 1971. To find out whether the petitioner is entitled for grant of such certificate in view of the same and whether his predecessor had any interest/title to such land while it was acquired, the authority is expected to go through all such issues after giving opportunity of hearing to the petitioner and pass necessary order in that regard.

4. The impugned order, therefore, is set aside and the matter is remanded back to the authority concerned i.e. Respondent No.3 – The Additional Collector and Rehabilitation Administrator, Ahmednagar to decide afresh within a period of three months from the date of receipt of copy of this order. Needless to mention Respondent No.3 shall decide the claim on its own merit and even uninfluenced by this order. Writ petition stands disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)

(R.G. AVACHAT, J.)

SSD