



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

978 WRIT PETITION NO. 13624 OF 2023

BHOJU GAMBHIRA JADHAV

VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

Advocate for the Petitioner : Mr. Patil Hanmant V.
AGP for Respondent/State : Mrs. Jayshri P. Reddy

...

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

DATE : 21.11.2025

PER COURT :

. Heard.

2. The petitioner has been denied the Project Affected Persons category Certificate (in short P.A.P certificate) only on the ground of having made an application 23 years after the land has been acquired for construction of Dam.

3. The learned Advocate for the petitioner relies on the judgment of this Court in the case of **Maroti Kondji Kshirsagar (Died) Through his Legal Representative Gajanan Digambar Kshirsagar vs. The State of Maharashtra and Others** in Writ Petition No.14819 of 2019 wherein, inspite of there being a delay of 18 years, the claim for directions to grant necessary Certificate of project affected persons, was allowed. Admittedly, the provisions under 'The Maharashtra Project Affected Persons (Rehabilitation) Act, 1999', do not prescribe any timeline for

issuance of the said certificate. It is only under the Government Circular, that prescribes the period of 18 years to make an application for grant of the said certificate. Since, this Court in the above referred matter, directed for grant of said certificate, even in case wherein there was a delay of over 18 years, we allow this Writ Petition in terms of the following order :

ORDER

- A) The Writ Petition is partly allowed.
- B) The impugned order dated 04.05.2016 passed by the Respondent No.3/Deputy Collector, Nanded is hereby quashed and set-aside.
- C) The Respondent No.3/Deputy Collector, Nanded shall consider the claim of the Petitioner for grant of said Project Affected Persons category Certificate, but shall not deny the same on the ground that the claim has been made after the prescribed period under the Government Circular i.e a period of 18 years.
- D) The authorities shall complete the above exercise within a time frame of three months from the date of issuance of a copy of this order.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

vsj..