



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

WRIT PETITION NO.4257 OF 2025

[Indira Santosh Adhau and another Vs. State of Maharashtra and others]

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

Court's or Judge's order

Shri P.R. Agrawal, Counsel for Petitioners.

Ms M.H. Deshmukh, Assistant Government Pleader for Respondent Nos.1 to 3.

Shri Abhay Sambre, Counsel for Respondent No.4.

CORAM : ANIL S. KILOR AND RAJNISH R. VYAS, JJ.

DATE : 24th NOVEMBER, 2025.

1. In the present matter, the issue involved is whether the petitioners are entitled to get the Project Affected Person Certificate for claiming employment in the respondent No.4-Dr. Punjabrao Krishi Vidyapeeth, Akola. Such certificate was denied to the petitioners by the respondent No.2-Deputy Collector (Rehabilitation), Akola on the ground that one Ramchandra Kisan Date, who is the father of the petitioner No.1 and the grand-father of the petitioner No.2, has already received such certificate on 30th August, 2010 and, therefore, the petitioners are not entitled to receive such certificate.

2. On the other hand, it is the case of the petitioners that such certificate was issued on acquisition of land of Ramchandra for Katepurna Irrigation Project in the year 1965. Whereas, the land in question was acquired by the respondent No.3 in the year 1977 for different purpose.

3. The Government Resolution on which the respondent No.3-Deputy Collector (Rehabilitation) has relied upon to deny the Project Affected Person Certificate to the petitioners, does not prohibit to issue such certificate if the land was acquired on multiple occasions for multiple and different purposes.

4. It is apparent on the face of the impugned communication dated 3rd July, 2025 issued by the respondent No.2-Deputy Collector that this aspect of the matter has not been considered and missed out by the Deputy Collector while denying the Project Affected Person Certificate to the petitioners.
5. In the circumstances, we are of the opinion that the matter needs to be remanded back to the respondent No.2-Deputy Collector, Akola to take decision in light of the above-referred observations, afresh within a time-bound period.
6. Accordingly, we allow this petition and quash and set aside the impugned communication dated 3rd July, 2025 issued by the respondent No.2-Deputy Collector (Rehabilitation), Akola to re-consider the case of the petitioners for issuance of Project Affected Person Certificate for claiming employment. Such decision shall be taken within a period of two weeks from today.
7. We further direct the respondent No.2 to consider the claim of the petitioner No.2 for employment in absence of Project Affected Person Certificate in the recruitment process being undertaken for the post of Laboratory Assistant. It is made clear that such selection will be subject to the decision of the respondent No.2 and the petitioner No.2 shall not claim any equity in case of his selection for the aforesaid post.
8. If the respondent No.2 holds in favour of the petitioner No.2, such certificate shall be issued to the petitioner No.2 within a period of one week from date of such decision.
9. If the respondent No.4-Dr. Punjabrao Krishi Vidyapeeth, Akola selects and appoints the petitioner No.2 and in case the respondent No.2-Deputy Collector holds against the petitioner No.2, the respondent No.4 shall not

act upon such decision for cancelling the appointment of the petitioner for fifteen days from the date of such decision of the respondent No.2.

10. The petitioners undertake to furnish the copy of this order on the file of the respondent No.2-Deputy Collector on or before 27th November, 2025.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)