



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

WRIT PETITION NO. 4245 OF 2024

Pravinkumar Vishwambhar Deokate and anr.

-Vs.-

The Collector & District Rehabilitation Officer, Akola and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr. N.B.Kalwaghe, Adv. for the petitioner.
Mr. S.M.Ukey, Addl.GP for the respondents-State.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 10TH MARCH, 2025

Heard the learned counsel for the petitioner and the respondents.

2. The land of one Sukhdeo Deokate claimed to be acquired by the award dated 25/01/1983 on account of which, at his instance, a PAP certificate was granted to the petitioner No.2 bearing No.582/1990, dated 10/10/1990. The land admeasuring 0.59 HR of survey No.115/4, Mouza Malsur, Tahsil Patur, District Akola of the petitioner No.2, thereafter has been acquired, for which a PAP certificate is being requested for the petitioner No.1 in terms of the provisions of the Maharashtra Project Affected Persons Rehabilitation Act, 1999 and the GRs issued thereunder. The only ground for denial of such a certificate, is that there is a PAP certificate already granted to the petitioner No.2, in respect of the acquisition of the year 1983.

3. Both the acquisitions as indicated above, are in respect of different lands, for different periods, from different persons, on account of which, the denial of the PAP certificate to the petitioner No.1 at the instance of the petitioner No.2, whose land has subsequently been acquired under the Award dated 23/03/1998 cannot be accepted. The impugned communication dated 12/09/2023 (Pg.38), which rejects the claim of the petitioners on this ground alone, is therefore hereby quashed and set aside and the respondents are directed to issue a PAP certificate to the petitioner No.1 in respect of the land acquired of the petitioner No.2 under the award dated 23/03/1998 within a period of two weeks from today. The petition is allowed in the above terms. No costs.

(ABHAY J. MANTRI,J) (AVINASH G. GHAROTE, J)