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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8357 OF 2016
WITH
CIVIL APPLICATION NO. 11193 OF 2025

Archana Shivajirao Bhingarde
Archana Satish Palaskar

PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....
Mr. R. N. Dhorde, Senior Advocate i/b Mr. Praveen S. Dighe,
Advocate for the Petitioner

Mr. D. R. Korde, AGP for Respondent - State

Mr. R. R. Karpe, Advocate for Respondent No.3

Mr. Manish N. Navandar, Advocate for Respondent No.4

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[CORAM : SIDDHESHWAR S. THOMBRE, J.]

DATE : 20th JANUARY, 2026

ORDER :

Heard learned Senior Advocate for the Petitioner.

2. By way of present Petition, the Petitioner assails the order dated 28.07.2016 passed by the Additional Collector and District Rehabilitation Administrator, Ahmednagar, whereby the certificate of Project Affected Person issued on 24th August, 2009 in favour of the Petitioner came to be cancelled.

3. Learned Senior Counsel Mr. Dhorde assisted by Mr. Dighe, submits that the land of the great grand father of the Petitioner was acquired for establishment of Mahatma Phule Krishi Vidyapeeth, Rahuri and certificate was issued in favour of the great grand father of the Petitioner and thereafter directly the certificate was transferred in the name of the Petitioner. Pursuant to the said certificate the Petitioner was appointed in the employment of the MPKV in the year 2009. Subsequently, on the basis of a complaint filed by Respondent No.3, inquiry was initiated and after the inquiry, the authorities found that the certificate was not issued in accordance with the procedure prescribed and hence it was cancelled. The MPKV has not initiated any action pursuant to the cancellation of the certificate and the Petitioner is continuously serving in MPKV since 2009.

4. Mr. Navandar, learned Advocate appearing for the Respondent MPKV vehemently opposed the Petition on the ground that the Petitioner has played fraud and the benefits available to great grand children were conferred by the State Government after 2016 and, therefore, retrospective effect cannot be granted to the same. Therefore, he submits that even if it is held that the Petitioner is entitled to receive the benefits, then said benefits will always be prospective and not

retrospective, therefore, on that ground he supports the order.

5. There is no dispute about the fact that the land of the great grand father of the petitioner was acquired for the University and certificate of Project Affected Person was issued in the name of great grand father of the Petitioner. Fact remains that the Petitioner participated in the recruitment process and she was selected from the Project Affected Person's category and, she is working with the MPKV since 2009. The Petitioner is already appointed in the year 2009 and rights are accrued in her favour.

6. As far as the fact of cancellation of the certificate is concerned, there is no dispute about the fact that the land of the great grand father of the Petitioner is acquired and, therefore, I find that the cancellation of the certificate by the authority is not justifiable. In view of that I am inclined to allow the Writ Petition. The Writ Petition is allowed in terms of prayer clause "B".

7. In view of disposal of the Writ Petition, Civil Application No.11193 of 2025 is disposed of.

[SIDDHESHWAR S. THOMBRE]
JUDGE