



CGHC010295872026



2026:CGHC:34719

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4124 of 2026

1 - Phuleshwar S/o Parmeshwar Aged About 56 Years Caste Gond, R/o Village Podi, Surajpur, District Surajpur Chhattisgarh

... Petitioner(s)

versus

1 - South Eastern Coalfield Limited Through Chairman-Cum-Managing Director, South Eastern Coalfield Limited Head Quarter, Bilaspur Chhattisgarh

2 - South Eastern Coalfield Limited South Eastern Coalfield Limited, Bishrampur Area, District Surajpur Chhattisgarh

3 - Project Office South Eastern Coalfield Limited, Bishrampur Area, District Surajpur Chhattisgarh

... Respondent(s)

For Petitioner(s) : Shri KPS Gandhi and Ms. Neela Gupta, Advocates.

For Respondent(s) : Shri Vinod Deshmukh, Advocate.

SB- Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

07/08/2026

1. Instant Writ Petition has been filed seeking direction to respondents for paying compensation to petitioner in lieu of land acquired by them.
2. Learned counsel for the petitioner submits that Petitioner is owner of land bearing Khasra No.401/1 situated at Village Podi, Tahsil & District Surajpur (C.G.) which has been acquired by the respondent South Eastern Coalfield Limited for mining purpose. As per the official compensation statement name of the petitioner is reflected at Sr. No. 58 thereby establishing entitlement for compensation, however, despite laps of several year the compensation has not been disbursed to the petitioner. Due to the acquisition and mining

operation, the Petitioner's agricultural land has become unfit for cultivation and his livelihood has been completely affected, but the respondent authorities have failed to take any steps for releasing the due compensation. They submit that the petitioner made several written representations before the SECL requesting release of compensation, but no effective action has been taken till date. Inaction of SECL in not releasing the compensation amount despite admitting the Petitioner's entitlement in official records is arbitrary, unreasonable, and violative of constitutional and statutory provisions.

3. Counsel for the respondents submits that they have called the petitioner along with relevant documents, however, the petitioner failed to file relevant documents and therefore, compensation could not be paid.
4. On that note, Ms Neela Gupta, counsel for the petitioner vehemently submits that petitioner went to the SECL authorities along with relevant documents which the authorities did not accept and now before this Court, counsel for respondents cannot submit that petitioner has not filed relevant documents because of which, compensation could not be disbursed in favour of the petitioner.
5. Learned counsel for the respondents at this stage would draw attention of this Court towards his memo of submission and submits that respondents/SECL sent a letter dated 23-02-2026 and dated 08-05-2026 to the petitioner requesting him to submit following necessary documents for the payment of compensation for the acquired land, (a) photocopies of the landowner's PAN card and Aadhaar card; (b) photocopies of all pages of the Rin Pustika (land passbook); (c) a photocopy of the bank

passbook; and (d) photocopies of the current year's B-1 and P-2 records for verification of record and entitlement of compensation. Hence, submission of counsel for the petitioner that respondents have not received the relevant documents of the petitioner has no substance.

6. Counsel for the petitioner submits that the letter dated 23-02-2026 and 08-05-2026 have never been received by the petitioner.
7. From the perusal of the return filed by the respondents particularly paragraph Nos.4 & 5, it appears that the authorities are asking documents for verification from the petitioner and upon the said verification, they will disburse the compensation in favour of the petitioner. Paragraph Nos.4 & 5 of the return of the respondents reads as under:-

“4. Therefore, from the above facts, it is abundantly clear that if there has been any delay in the process of payment of compensation, it is wholly and entirely due to the failure on part of the petitioner to submit complete documents in time, for which respondent's cannot in any manner be held responsible.

5. The respondents assure the Hon'ble Court that upon submission require documents as per above reference letters by the petitioner and after verification of the documents in accordance with the rules, payment of the determined compensation amount shall be disburse within the earliest possible period in accordance with law and as per entitlement.”

8. Considering the aforesaid aspect of the matter and as the petitioner submits that he appeared before the respondents authorities along with relevant documents which were not accepted by the respondent authorities, therefore, this Court finds it appropriate to dispose of this Writ Petition with a direction to appear before the respondent authorities along with relevant documents within a period of 15 days from the date of receipt of copy of this order and in

turn, the respondent authorities are directed to consider the application of the petitioner along with relevant documents and decide the said application by passing a speaking order forthwith, in accordance with law, within a period of 60 days from the date petitioner hereinafter approaches them. Ordered accordingly.

9. It is made clear that the authorities should not linger on the case of the petitioner as the petitioner is running from pillar to post since 2017 and till date, not received the compensation. Even if any curable defect is found on the part of the petitioner, the respondent authorities should not sit on the same, they should immediately direct the petitioner to cure the same within specific time limit and decide the same accordingly. It is expected from the authorities that they will not sit on the application of the petitioner due to their being any defect which can be cured swiftly.
10. In the event of being everything sure shot, non grant of compensation will be taken seriously by this Court and appropriate orders will be passed against concerned authorities if genuine complaint will be made by the petitioner before this court that the respondents are not considering the application of the petitioner.
11. The concerned authorities of respondents are directed to send compliance report to Registrar (Judicial) of this Court within 20 days from the date they comply with this order.
12. With the aforesaid observation/direction, this Writ petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge