



CGHC010373402026



2026:CGHC:43904

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7393 of 2026

1 - Reema Singh Rathore D/o Sanjay Kumar Rathore Aged About 26 Years R/o Kanhai Band Post Seoni, District Janjgir Champa (C.G.)

2 - Anamika Sao W/o Swatanra Kumar Sahu Aged About 34 Years R/o Ward No. 10, Bhatapara, Pendri, Post Pendri, District Janjgir-Champa (C.G.)

3 - Alka Rathore D/o Ramesh Chandra Rathore Aged About 34 Years R/o Ward No. 1, Tendubhata, Sarkhon, District Janjgir-Champa (C.G.)

--- **Petitioners**

versus

1 - Chhattisgarh State Power Generation Co. Ltd., Through Chief Engineer, (H.R) District Raipur (C.G.)

2 - Executive Director State Power Generation Co. Ltd., District Raipur (C.G.)

3 - District Collector, Janjgir Champa District Janjgir Champa (C.G.)

4 - D.G.M. (H.R) Vidyut Seva Bhawan Dangania, Raipur, District Raipur (C.G.)

5 - Chief Engineer (Gen.) State Power Generation Co. Ltd., Madwa, Tendubhata Thermal Power District Korba (C.G.)

6 - Manager (HR) C.S.P.G.C.L Raipur Chhattisgarh,

7 - S.D.O. (Revenue) Cum Land Execution Officer Janjgir Champa (C.G.)

8 - Executive Engineer (Civil) Land Acquisition Division 2x500 M.W Mttpp, Chhattisgarh State Power Generation Co. Ltd., Janjgir Champa,

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District Janjgir Champa Chhattisgarh, District Janjgir-Champa, Chhattisgarh

9 - Additional Superintendent Engineer (Civil), Chhattisgarh Electricity Board, Korba (East), District Korba Chhattisgarh

10 - Executive Engineer (Civil), Land Acquisition Officer, Chhattisgarh Electricity Board, Korba (East), District Korba Chhattisgarh.

--Respondents

WPS No. 7265 of 2026

1 - Sanket Rathore S/o Basant Kumar Rathore Aged About 24 Years R/o Ward No. 7, Sudhir Gali, Post Janjgir District Janjgir Champa Chhattisgarh.

2 - Ritesh S/o Rakesh Kumar Sao Aged About 25 Years R/o Barchha Para Sarkhon District Janjgir Champa Chhattisgarh.

3 - Omprakash Suryavanshi S/o Ramcharan Aged About 25 Years R/o Village Sarkhon Post Arakhon District Janjgir Champa Chhattisgarh.

4 - Pranjeev Shrivastava S/o Avadh Shrivastava Aged About 33 Years R/o Manjhli, Talab Champa District Janjgir Champa Chhattisgarh.

5 - Shubham Kashyap S/o Pradeep Kumar Kashyap Aged About 31 Years R/o Manjhli, Talab Champa District Janjgir Champa Chhattisgarh.

---Petitioners

Versus

1 - Chhattisgarh State Power Generation Co. Ltd. Through Chief Engineer (H R) District Raipur Chhattisgarh.

2 - Executive Director State Power Generation Co- Ltd District Raipur Chhattisgarh.

3 - District Collector Janjgir Champa District Janjgir Champa Chhattisgarh.

4 - D.G.M. (H R) Vidyut Seva Bhawan C.G. Rajay Vidyut Gen Centre Dangania Raipur District Raipur Chhattisgarh.

5 - Chief Engineer (Gen) State Power Generation Co- Ltd. Madwa Tendubhata Thermal Power District Korba Chhattisgarh

6 - Manager (H R) C S P G C L Raipur Chhattisgarh.

7 - S D O. (Revenue) Cum Land Execution Officer Janjgir Champa Chhattisgarh.

8 - Executive Engineer (Civil) Land Acquisition Division 2 X 500, M W M T T P P Chhattisgarh State Power Generation Co- Ltd. Janjgir Champa District Janjgir Champa Chhattisgarh.

9 - Additional Superintendent Engineer (Civil) Chhattisgarh. Electricity Board Korba (East) District Korba Chhattisgarh

10 - Executive Engineer (Civil) Land Acquisition Officer Chhattisgarh. Electricity Board, Korba (East) District Korba Chhattisgarh.

--- **Respondents**

WPS No. 7264 of 2026

1 - Tirendra Kumar Sahu S/o Ganpat Lal Sahu Aged About 46 Years R/o House No 179 Ward No 6 Bhadhihpara Sarkhon District Janjgir Champa C.G.

2 - Deewakar Kewat S/o Narayan Prasad Kewat Aged About 33 Years R/o Bangla Chowk Kurda District Janjgir Champa C.G.

3 - Rahul Dewangan S/o Dhan Say Dewangan Aged About 27 Years R/o Ward No 9 School Para Sarkhon District Janjgir Champa C.G.

4 - Akash Kumar Sahu S/o Sanjay Kumar Sahu Aged About 30 Years R/o Mahamaya Mandir Purena Para Sarkhon District Janjgir Champa C.G.

5 - Rahul Kumar Sahu S/o Ramsharan Sahu Aged About 31 Years R/o Ward No 12 Basantpur District Janjgir Champa C.G.

---**Petitioners**

Versus

1 - Chhattisgarh State Power Generation Co. Ltd. Through Chief Engineer (Hr) District Raipur C. G.

2 - Executive Director State Power Generation Co. Ltd District Raipur C.G.

3 - District Collector Janjgir Champa District Janjgir Champa C.G.

4 - D. G. M. (Hr) C.G. Rajya Vidyut Gen. Kendrya Vidyut Seva Bhawan
Dagania Raipur District Raipur C.G.

5 - Chief Engineer (Gen) State Power Generation Co. Ltd. Madwa
Tendubhata Thermal Power District Korba C.G.

6 - Manager (Hr) Cspgcl Raipur Chhattisgarh

7 - S D O (Revenue) Cum Land Execution Officer Janjgir Champa C.G.

8 - Executive Engineer (Civil) Land Acquisition Division 2x500 Mw Mtpp
Chhattisgarh State Power Generation Co. Ltd. Janjgir Champa District
Janjgir Champa Chhattisgarh District Janjgir Champa C. G.

9 - Additional Superintendent Engineer (Civil) Chhattisgarh Electricity
Board Korba (East) District Korba Chhattisgarh

10 - Executive Engineer (Civil) Land Acquisition Officer Chhattisgarh
Electricity Board Korba (East) District Korba Chhattisgarh

--- Respondents

WPS No. 7434 of 2026

1 - Jeetan S/o Santosh Kumar Aged About 31 Years R/o Ward No. 09,
Village And Post Sarkhon, Ram, Janki, Chowk, District Janjgir Champa
Chhattisgarh.

2 - Suraj Bhan Singh S/o Ram Narayan Rathore Aged About 28 Years
R/o H. No. 175, G A Bhatapara Sivni, Road District Janjgir Champa
Chhattisgarh.

3 - Shiva Kumar Suryavanshi S/o Antram Suryavanshi Aged About 34
Years R/o Ward No. 1 Atal Chowk, Sarkhon, Post Sarkhon, District
Janjgir Champa Chhattisgarh.

4 - Lalit Rathore S/o Baldau Prasad Aged About 46 Years R/o H No.
289, Gudi, Mohalla, Ramjanki, Chowk, Sarkhon, District Janjgir Champa
Chhattisgarh.

5 - Kamal Kishore Patel S/o G P. Patel Aged About 41 Years R/o Ward
No. 3, Barchha, Para, Jarve District Janjgir Champa Chhattisgarh.

---Petitioners

Versus

- 1 - Chhattisgarh State Power Generation Co. Ltd., Through- Chief Engineer (H R) District Raipur Chhattisgarh.
- 2 - Executive Director State Power Generation Co- Ltd, District Raipur Chhattisgarh.
- 3 - District Collector Janjgir Champa District Janjgir Champa Chhattisgarh.
- 4 - D G M. (H R) Vidyut Seva Bhawan Dangania, Raipur District Raipur Chhattisgarh
- 5 - Chief Engineer (Gen) State Power Generation Co- Ltd, Madwa, Tendubhata Thjarmal Power District Korba Chhattisgarh.
- 6 - Manager (H R) C S P G C L Raipur Chhattisgarh.
- 7 - S D O (Revenue) Cum Land Executive Officer Janjgir Champa Chhattisgarh.
- 8 - Executive Engineer (Civil) Land Acquisition Division 2x500 M W M T T P P Chhattisgarh. State Power Generation Co- Ltd. Janjgir Champa, District Janjgir Champa Chhattisgarh.
- 9 - Additional Superintendent Engineer (Civil) Chhattisgarh, Engineer Board Korba (East) District Korba Chhattisgarh.
- 10 - Executive Engineer (Civil) Land Acquisition Officer Chhattisgarh. Electricity, Borad, Korba (East) District Korba Chhattisgarh.

... Respondent(s)

(Cause title taken from CIS)

For Petitioners	: Shri Prabhat Kumar Saxena, Advocate
For Respondents/CSPGCL	: Shri Mayank Chandrakar, Advocate
For State	: Shri Shreyansh Mehta, Panel Lawyer

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

09/10/2026

1. Since common facts and grounds involved in all these petitions,
they are being considered and decided by this common order.

2. For the sake of convenience, the pleadings and the documents placed in WPS No.7393/2026 are being referred and the relief prayed by the petitioners are as under:-

“10.1 That this Hon'ble court may kindly be pleased to issue an appropriate writ, order or direction directing the respondents to consider and grant permanent employment to the petitioners/eligible member of the displaced family in accordance with the applicable Rehabilitation and Resettlement Policy and the acquisition/rehabilitation order;

10.2 That this Hon'ble court may kindly be pleased to quash the notification which has been issued for the recruitment of other person by the respondents.

10.3 That this Hon'ble court may kindly be pleased to direct Respondent to provide appointment to the petitioners against an appropriate post commensurate with his qualification and eligibility under the rehabilitation scheme;

10.4 That this Hon'ble court may kindly be pleased to direct the respondents to consider the petitioner's claim under the Rehabilitation and Resettlement Policy prevailing on the date of acquisition of the petitioner's land; earlier given contractual appointment as per policy given regular appointment.

10.5 That this Hon'ble court may kindly be pleased to grant all consequential benefits, including continuity of rehabilitation benefits and other benefits admissible under the applicable policy;

10.6 That this Hon'ble court may kindly be pleased to grant any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the petitioners submits that the petitioners' respective agricultural lands were acquired for power generation project. He submits that, pursuant to the land acquisition, the petitioners were offered employment, but only on a contractual basis. Learned counsel further submits that similarly situated persons whose lands were acquired for the very same project were granted regular appointment. He submits that there is no justification for extending a different treatment to the petitioners, who are similarly affected by the acquisition. Such denial of regular appointment, while granting regular employment to other land oustees of the same project, is arbitrary, discriminatory and contrary to the principles of fairness and legitimate expectation. He, therefore, prays that the respondents be directed to grant the petitioners regular appointment instead of contractual appointment.
4. On the other hand, learned counsel appearing for the respondents would submit that the issue involved in these writ petitions has already been considered and decided by this Court vide order dated **18.09.2026** passed in **WPS No.6838 of 2026 (Jaydeep Rathore Vs. State of C.G. & Ors)**, wherein this Court held as under:-

“10. It is pertinent to mention here that in the order of

appointment of the petitioners at clause 1 it has been categorically mentioned that despite filling all the vacant posts under the quota of land oustees, considering the request made by the Collector, District Janjgir-Champa and Korba the cases of the remaining land oustees were considered sympathetically by the Board of Directors of the Generation Company and decided to grant appointment on contractual basis. For ready reference clause 1 of the contractual appointment of the petitioners is quoted below :

“1. जनरेशन कंपनी द्वारा विभिन्न परियोजनाओं / संयंत्र के निर्माण हेतु अर्जित भूमि के विस्थापित परिवारों को राज्य शासन की आंदर्श पुनर्वास नीति 2007 (यथा संशोधित), राज्य शासन द्वारा अनुमोदित पुनरीक्षित पुनर्वास योजना 2015 एवं जनरेशन कंपनी के संचालक मंडल द्वारा समय-समय पर लिए गए निर्णयों के परिपालन में संबंधित संयंत्र / परियोजना हेतु भूविस्थापितों के लिए जनरेशन कंपनी द्वारा निर्धारित एवं राज्य शासन द्वारा अनुमोदित निर्धारित समस्त पदों पर रोजगार दिए जाने के फलस्वरूप भूविस्थापितों के लिए निर्धारित पद उपलब्ध नहीं होने के कारण कलेक्टर, जिला: जांजगीर-चांपा एवं कोरबा के अनुरोध पर भूविस्थापितों के आवेदनों पर सहानुभूतिपूर्वक विचार करते हुए जनरेशन कंपनी के संचालक मंडल द्वारा लिए गए संकल्प के परिपालन में भूविस्थापितों को यह संविदा नियुक्ति दी जा रही है।”

11. Merely because certain other land oustees were granted appointment on regular posts vide order dated 22.12.2018, the petitioners cannot claim regular

appointment as an indefeasible right. The appointments made in the year 2018 have to be considered in the factual and administrative circumstances prevailing at that point of time, particularly with regard to the availability of sanctioned posts. The petitioners cannot claim parity in perpetuity merely on the basis of such earlier appointments, particularly when the respondents have specifically stated that the posts earmarked for regular employment had already been exhausted.

12. It is also significant that Clause 7.1 of the Model Rehabilitation Policy, 2007 uses the expression “रोजगार की व्यवस्था की जाएगी” and does not use the expressions “regular employment”, “permanent employment” or “appointment against a regular sanctioned post”. Therefore, this Court cannot read into the policy a condition which is not contained therein. The contractual appointment offered to the petitioners, if otherwise in accordance with the applicable policy and the terms of the appointment order, cannot be held to be contrary to the Model Rehabilitation Policy merely because it is not a regular appointment.

13. In view of the aforesaid discussion, this Court finds that the petitioners have been provided the benefit of employment as the land oustee in terms of the applicable policy. No enforceable right to seek

appointment on a regular/permanent post of Plant Attendant Grade-II has been established. Consequently, the challenge to the contractual nature of the appointment and the prayer for grant of regular appointment on the post of Plant Attendant Grade-II cannot be accepted.

14. Accordingly, both the writ petitions, being devoid of merit, are dismissed at the motion stage itself.

5. Learned counsel for the respondents further submits that since the facts and issue involved in the present case is identical to that of **WPS No.6838 of 2026**, these petitions may also be dismissed in the same terms.
6. Having considered the rival submissions made by both the parties and having gone through the materials available on record, it is evident that the facts and issue involved in these petitions are identical to **WPS No.6838 of 2026**, this Court deems it appropriate not to take a view other than what has been taken in the aforesaid writ petition.
7. Accordingly, all the present petitions are **dismissed** in terms of the order dated **18.09.2026** passed in **WPS No.6838 of 2026**.

SD/-

(Ravindra Kumar Agrawal)
JUDGE

Amardeep