

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2886 of 2016

Ku. Babita Adiley D/o Late Jaitram, Aged About 29 Years R/o Ralia, Post : Mudhali, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chairman-Cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
3. Staff Officer (Land Revenue), South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
4. Collector, Korba District Korba (Chhattisgarh).

---- Respondents

WPS No. 2887 of 2016

Chandrashekhar Singh S/o Late Heram Singh Aged about 45 years, R/o Ralia, Post : Mudhali, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chairman-Cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
3. Staff Officer (Land Revenue), South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
4. Collector, Korba District Korba (Chhattisgarh).

---- Respondents

WPS No. 2889 of 2016

Biharilal, S/o Sri Bhurwa Ram Aged about 56 years, R/o Ralia, Post : Mudhali, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chairman-Cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
3. Staff Officer (Land Revenue), South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
4. Collector, Korba District Korba (Chhattisgarh).

---- Respondents

WPS No. 2890 of 2016

Dilharandas, S/o Shri Charandas Aged about 35 years R/o Ralia, Post : Mudhali, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chairman-Cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
3. Staff Officer (Land Revenue), South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
4. Collector, Korba District Korba (Chhattisgarh).

---- Respondents

WPS No. 2891 of 2016

Smt. Krishna Rathore D/o Shri Gauri Shankar Aged about 36 years R/o Ralia, Post : Mudhali, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chairman-Cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
3. Staff Officer (Land Revenue), South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).

4. Collector, Korba District Korba (Chhattisgarh).

---- Respondents

WPS No. 2892 of 2016

Kaushal Prasad S/o Shri Kholbahara Aged about 43 years, R/o Ralia, Post : Mudhali, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chairman-Cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
3. Staff Officer (Land Revenue), South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
4. Collector, Korba District Korba (Chhattisgarh).

---- Respondents

WPS No. 2893 of 2016

Udalram S/o Shri Gopiram Aged about 52 years, R/o Ralia, Post : Mudhali, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chairman-Cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
3. Staff Officer (Land Revenue), South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
4. Collector, Korba District Korba (Chhattisgarh).

---- Respondents

And

WPS No. 2895 of 2016

Sarojini Rathore D/o Shri Gauri Shankar Aged about 33 years R/o Ralia, Post : Mudhali, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chairman-Cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
3. Staff Officer (Land Revenue), South Eastern Coalfields Ltd., Gavera Area, Korba, District Korba (Chhattisgarh).
4. Collector, Korba District Korba (Chhattisgarh).

---- Respondents

Shri Sanjay Kumar Agrawal, counsel for the petitioner/s.
Shri Vaibhav Shukla, counsel for the SECL on advance copy.
Shri D.R.Minj, Dy.G.A. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/07/2016

These petitions have been filed by the petitioners who are claiming employment in lieu of acquisition of their land by respondent / Coal Company.

Learned counsel for the petitioner submits that the petitioners are those, whose lands are involved in acquisition proceedings. They have become landless with no source of livelihood. The award was passed in the year 2013. The petitioners have raised claim of employment with the respondent / company.

2. According to the petitioners, they are entitled to employment under the rehabilitation policy dated 25/09/1991. Further submission of learned counsel for the petitioners is that the case of similarly situated land oustees came up for consideration before this Court in the case of *Ku. Rattho Bai and anr. Vs. South Eastern Coalfields Limited and ors.* in WPS No.432/2011 wherein this Court, after examining the grievance in the light of rehabilitation policy, passed an order on 23/07/2015 allowing the petition and directing the respondent / Coal company to provide suitable employment in terms of conditions incorporated in para 12 of the said order.

3. Learned counsel appearing for the respondent / SECL on advance copy

submits that till date, the respondent / coal company has not taken any decision on petitioners' claim for employment in lieu of acquisition of their land. It is submitted that the claim of the petitioners shall be examined in the light of order passed by this Court in the case of Ku. Rattho Bai (supra). If the petitioners, on verification of facts, are found to be identically and similarly situated, their claim shall also be considered.

4. In view of aforesaid submission and order passed by this Court on 23/07/2015 in Ku. Rattho Bai (supra), at this stage, it would be proper to dispose off this matter with a direction to respondent no.2 to examine the claim of the petitioners in the light of order dated 23/07/2015 passed in the case of Ku. Rattho Bai (supra). If upon verification of facts, the petitioners herein are found to be identically situated, their case shall also be considered for grant of employment as per the policy of rehabilitation.

5. Considering that the matter relates to rehabilitation policy of land oustees, respondent No.2 is expected to take decision on the claim of respective petitioners within a period of 12 weeks from the date of receipt of copy of this order.

6. With the aforesaid observations / directions, these petitions are finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge