

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4525 of 2016**

- Anandram Yadav S/o Shri Sukhsingh Yadav, Aged About 42 Years R/o Gram Bhathoura, Post Bhilaibazar, Tah 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, Distirct Korba Chhattisgarh
3. Staff Officer, (Land Revenu) South Eastern Coalfields Ltd. Gavera Area, Korba District Korba Chhattisgarh
4. Collector, Korba, District Korba Chhattisgarh

---- Respondents**And****WPS No. 4526 of 2016**

- Smt. Bhuri Bai W/o Shri Udalram, Aged About 45 Years R/o Ralia Post Mudhali, Tahsil Katghora, Distirct Korba Chhattisgarh

---- Petitioner**Vs**

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, Distirct Korba Chhattisgarh
3. Staff Officer, (Land Revenu) South Eastern Coalfields Ltd. Gavera Area, Korba District Korba Chhattisgarh
4. Collector, Korba, District Korba Chhattisgarh

---- Respondents**And****WPS No. 4527 of 2016**

- Mohanlal S/o Shri Bed Prasad, Aged About 47 Years Gram Podi, District Korba Present At Gram Bokramuda, Post Korbi Dhatura, Tah, Pali, Distirct Korba Chhattisgarh

---- Petitioner**Vs**

1. South Eastern Coalfields Limited Through The Chairman Cum Managing Director, Seepat, Road, Bilaspur Chhattisgarh
2. Chief General Manager, South Eastern Coalfields Ltd. Gavera Area, Korba, Distirct Korba Chhattisgarh

3. Staff Officer, (Land Revenu) South Eastern Coalfields Ltd. Gavera Area, Korba District Korba Chhattisgarh
4. Collector, Korba, District Korba Chhattisgarh

---- Respondents

And

WPS No. 4528 of 2016

- Smt. Subdhra Bai D/o Shri Gopi Ram, Aged About 50 Years R/o Ralia, Post Mudhali, Tah. Katghora, District Korba Chhattisgarh

---- Petitioner

Vs

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, Distirct Korba Chhattisgarh
3. Staff Officer, (Land Revenu) South Eastern Coalfields Ltd. Gavera Area, Korba District Korba Chhattisgarh
4. Collector, Korba, District Korba Chhattisgarh

---- Respondents

And

WPS No. 4529 of 2016

- Deepti Mishra D/o Shri Demant Kumar Mishra, Aged About 21 Years R/o Bahanpath, Post Bhilai Bazar, Tah. Katghora, Distirct Korba Chhattisgarh

---- Petitioner

Vs

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, Distirct Korba Chhattisgarh
3. Staff Officer, (Land Revenu) South Eastern Coalfields Ltd. Gavera Area, Korba District Korba Chhattisgarh
4. Collector, Korba, District Korba Chhattisgarh

---- Respondents

And

WPS No. 4534 of 2016

- Ramant Kumar Shrivass S/o Shri Laxmikant, Aged About 22 Years R/o Village Bhathaura, Post Bhilai Bazar, Tah Katghora, District Korba Chhattisgarh

---- Petitioner

Vs

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

---- Respondents

And

WPS No. 4544 of 2016

- Neturam S/o Late Pawan Singh, Aged About 42 Years R/o Gram Ralia, P.O. Mudhali, Tah, Katghora, District Korba Chhattisgarh

---- Petitioner

Vs

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

---- Respondents

And

WPS No. 4552 of 2016

- Pardeep Kumar S/o Shri Ramawatar Gurudwan, Aged About 31 Years Presently R/o Gram Hardi Bazar, Tah, Pali, District Korba Chhattisgarh

---- Petitioner

Vs

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, Distirct Korba Chhattisgarh
3. Staff Officer, (Land Revenu) South Eastern Coalfields Ltd. Gavera Area, Korba District Korba Chhattisgarh
4. Collector, Korba, District Korba Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Sanjay Kumar Agrawal, Advocate
For Respondents/SECL	:	Mr. Shailendra Shukla, Advocate
For Respondents/State	:	Mr. Gary Mukhopadhyay, Dy. GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/09/2016

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

1. 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 20 weeks from the date of receipt of a copy of this order.
6. With the aforesaid observations / directions, these petitions are finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge