

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 4150/2016
 (SACHIN HARIDAS DEOKE VERSUS UNION OF INDIA & OTHERS)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri R.M. Sharma, counsel for the petitioner.

**CORAM : SMT.VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.**

DATE : JULY 22, 2016.

By this writ petition, the petitioner seeks a direction to the respondent-Western Coalfields Limited to grant employment to the petitioner in view of its policy of rehabilitation and resettlement of the landholders, whose lands are acquired.

It is the case of the petitioner, who claims to have attained the majority, that he is entitled to employment in the Western Coalfields Limited as the land of his grandfather is acquired. It is stated that the grandfather of the petitioner had executed a registered gift-deed, thereby gifting the property that was acquired, in favour of the petitioner. It is stated that in pursuance of the gift-deed, the petitioner has become the absolute owner of the property that was acquired. It is stated that the aunt of the petitioner has unnecessarily filed a civil suit claiming title and interest in the property that was acquired and in view of the pendency of the suit, the Western Coalfields Limited is wrongfully denying employment to the petitioner.

We do not find any illegality in the action of the Western Coalfields Limited of not employing the petitioner in terms of the policy when a dispute in regard to the ownership of the property that is acquired is pending before the civil Court. If the aunt is also held to be the owner of the property, she may

have a right to compensation and employment. In this view of the matter, the Western Coalfields Limited has rightly decided not to grant employment to the petitioner when there is a dispute in regard to the property that is acquired.

Since the relief sought by the petitioner cannot be granted in exercise of the writ jurisdiction, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

APTE

CERTIFICATE

I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.

Uploaded by: Rohit D. Apte.

Uploaded on : 26.07.2016.