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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.2487 of 2017**

Sukhdev Das S/o Jagat Das, Aged About 43 Years R/o Village Budbud, Thana Pali, Tahsil Pali, District Korba Chhattisgarh.

---- Petitioner**Versus**

1. South Eastern Coalfields Ltd. S/o Through Its Chairman - Cum - Managing Director (C M D), S E C L, Seepat Road, Bilaspur Chhattisgarh.
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Open Cast Project), Korba, District Korba Chhattisgarh.
3. District Collector - Cum - Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba Chhattisgarh.
4. Land Acquisition Officer / Sub - Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba Chhattisgarh.

---- Respondents**And****WPC No. 2516 Of 2017**

Subedas Manikpuri S/o Jagad Das, Aged About 47 Years R/o Village Budbud, Tehsil Pali, District Korba, Chhattisgarh.

---- Petitioner**Versus**

1. South Eastern Coalfields Ltd. Through Its Chairman Cum Managing Director (C M D) S E C L, Seepat Road Bilaspur, Chhattisgarh.
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Open Cast Project) Korba, District Korba, Chhattisgarh.
3. District Collector Cum Officiating Dy Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba, Chhattisgarh.
4. Land Acquisition Officer / Sub Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba, Chhattisgarh.

---- Respondents

And

WPC No. 2502 Of 2017

Kunwar Keshav S/o Daya Ram, Aged About 60 Years R/o Village Budbud, Thana Pali, Tahsil Pali, District Korba Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman - Cum - Managing Director (C M D), S E C L, Seepat Road, Bilaspur Chhattisgarh.
2. Chief General Manager, South Eastern Coalfields Ltd., Korba Area (Saraipali Open Cast Project), Korba, District Korba Chhattisgarh.
3. District Collector - Cum - Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba Chhattisgarh.
4. Land Acquisition Officer / Sub - Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba Chhattisgarh.

---- Respondents

And

WPC No. 2503 Of 2017

Dhaniram Kusro S/o Atmaram Kusro, Aged About 46 Years R/o Village Rahadih, Thana Pali, Tahsil Pali, District Korba, Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman-Cum-Managing Director (C M D), S E C L, Seepat Road, Bilaspur, Chhattisgarh
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Oper Cast Project), Korba, District Korba, Chhattisgarh
3. District Collector-Cum-Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba, Chhattisgarh
4. Land Acquisition Officer / Sub Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba, Chhattisgarh

---- Respondents

And

WPC No. 2511 Of 2017

Jana Bai W/o Sundar Lal, Aged About 64 Years R/o Village Budbud,
Thana Pali, Tahsil Pali, District Korba Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman - Cum - Managing Director (C M D), S E C L, Seepat Road, Bilaspur Chhattisgarh.
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Open Cast Project), Korba, District Korba Chhattisgarh.
3. District Collector - Cum - Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba Chhattisgarh.
4. Land Acquisition Officer / Sub - Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba Chhattisgarh.

---- Respondents

And

WPC No. 2515 Of 2017

Indlal S/o Bhukhan Lal. Aged About 70 Years R/o Village : Budbud,
Thana Pali Tahsil Pali, District Korba Chhattisgarh .

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman - Cum- Managing Director (C M D) , S E C L , Seepat Road Bilaspur Chhattisgarh .
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Open Cast Project), Korba , District Korba Chhattisgarh.
3. District Collector - Cum - Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba District Korba Chhattisgarh.
4. Land Acquisition Officer/sub - Divisional Officer, Tahsil ; Katghora, Civil & Revenue District Korba Chhattisgarh.

---- Respondents

And

WPC No. 2496 Of 2017

Ram Kumar S/o Sundar Lal, Aged About 30 Years R/o Village Budbud, Thana Pali, Tahsil Pali, District Korba, Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman-Cum-Managing Director (C M D), S E C L, Seepat Road, Bilaspur, Chhattisgarh.
2. Chief General Manager, South Eastern Coalfields Ltd., Korba Area (Saraipali Open Cast Project), Korba, District Korba, Chhattisgarh.
3. District Collector-Cum- Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba, Chhattisgarh.
4. Land Acquisition Officer/ Sub Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba, Chhattisgarh.

---- Respondents

And

WPC No. 2504 Of 2017

Lakhan Lal S/o Kanahai Ram, Aged About 65 Years R/o Village Budbud, Thana Pali, Tahsil Pali, District Korba, Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman-Cum-Managing Director (C M D), S E C L, Seepat Road, Bilaspur, Chhattisgarh
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Oper Cast Project), Korba, District Korba, Chhattisgarh
3. District Collector-Cum-Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba, Chhattisgarh
4. Land Acquisition Officer / Sub Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba, Chhattisgarh

---- Respondents

And

WPC No. 2507 Of 2017

Jagat S/o Heera Das Aged About 70 Years R/o Village : Budbud ,
Thana : Pali, Tahsil : Pali , District Raipur Chhattisgarh,

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman - Cum - Managing Director (CMD) , Secl, Seepat Road, Bilaspur Chhattisgarh.
2. The Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Open Cast Project) , Korba , District Korba Chhattisgarh
3. District Collector - Cum- Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba Chhattisgarh.
4. Land Acquisition Officer / Sub- Divisional Officer Tahsil : Katghora, Civil & Revenue District Korba Chhattisgarh.

---- Respondents

And

WPC No. 2501 Of 2017

Son Bai W/o Pitha Ram, Aged About 66 Years R/o Village Budbud,
Thana Pali, Tahsil Pali, District Korba, Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through Its Chairman Cum Managing Director (C M D) S E C L, Seepat Road Bilaspur, Chhattisgarh.
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Open Cast Project) Korba, District Korba, Chhattisgarh.
3. District Collector Cum Officiating Dy Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba, Chhattisgarh.
4. Land Acquisition Officer / Sub Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba, Chhattisgarh.

---- Respondents

And

WPC No. 2510 Of 2017

Goutam Bai W/o Dhan Singh, Aged About 66 Years R/o Village Budbud, Thana Pali, Tahsil Pali, District Korba, Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman-Cum-Managing Director (C M D), S E C L, Seepat Road, Bilaspur, Chhattisgarh
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Oper Cast Project), Korba, District Korba, Chhattisgarh
3. District Collector-Cum-Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba, Chhattisgarh
4. Land Acquisition Officer / Sub Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba, Chhattisgarh

---- Respondents

And

WPC No. 2499 Of 2017

Samund Singh S/o Sonau Aged About 50 Years R/o Village : Budbud, Thana Pali Tahsil Pali, District Korba Chhattisgarh .

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman - Cum-Managing Director (C M D) , S E C L , Seepat Road Bilaspur Chhattisgarh .
2. Chief General Manager, South Eastern Coalfields Ltd. Korba Area (Saraipali Open Cast Project) Korba , District Korba, Chhattisgarh.
3. District Collector - Cum - Officiating Dy. Secretary, Sectetary, Government Of Chhattisgarh. Collectorate, Korba District Korba Chhattisgarh.
4. Land Acquisition Officer / Sub- Divisional Officer Tahsil : Katghora, Civil & Revenue District Korba Chhattisgarh.

---- Respondents

And

WPC No. 2500 Of 2017

Surbhawan Singh Tekam S/o Chandan Singh Tekam, Aged About 51 Years R/o Village Rahadih, Thana Pali, Tahsil Pali, District Korba, Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through Its Chairman-Cum-Managing Director (C M D), S E C L, Seepat Road, Bilaspur, Chhattisgarh.
2. Chief General Manager, South Eastern Coalfields Ltd., Korba Area (Saraipali Open Cast Project), Korba, District Korba, Chhattisgarh.
3. District Collector-Cum- Officiating Dy. Secretary, Government Of Chhattisgarh, Collectorate, Korba, District Korba, Chhattisgarh.
4. Land Acquisition Officer/ Sub Divisional Officer, Tahsil Katghora, Civil & Revenue District Korba, Chhattisgarh.

--- Respondents

For Petitioner : Mr. Sanjay K. Agrawal, Advocate
 For State/Respondents : Mr. Gary Mukhopadhyay, Dy.G.A. & Mr. Sudhir Kumar Bajpai and Mr. Shailendra Shukla, Advocates

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

11/09/2017

- (1) The office objection is overruled.
- (2) Learned counsel appearing for the parties would submit that issue raised in these writ petitions is covered by order dated 11.09.2017 passed in Writ Petition (C) No.3076 of 2016 (*Pyarelal Vs. South Eastern Coalfields Ltd. & Others*) in which, this Court has observed as under:-

“66. As a fallout and consequence of above-stated legal analysis, it is directed as follows:-

1. Part of the writ petitions challenging the land acquisition award and the land acquisition proceedings of the petitioners' land is dismissed on the ground of delay and laches as well as on the ground that the petitioners are not entitled to take mutually inconsistent and destructive plea based on the doctrine of election. The petitioners are not entitled for the benefit of Section 24(2) of the Act of 2013.

2. The petitioners are not entitled for calculation of enhanced compensation as per the new Land Acquisition Act of 2013 or as per the revised rate announced by the Government on 19.03.2010.

3. The petitioners are entitled for consideration of rehabilitation as per the policy prevalent on the date of acquisition of their land within 45 days from the date of production of a copy of this order. In consequence, the writ petitions are allowed in part only qua the rehabilitation.

67. The writ petitions are partly allowed to the extent sketched herein-above leaving the parties to bear their own costs.”

(2) Accepting the submission of learned counsel for the parties, the writ petitions are disposed of in similar terms of Pyarelal (supra) in Writ Petition (C) No.3076/2016.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-