

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.2942 of 2017

1. Shivalal S/o Chaitram, Aged About 33 Years R/o Village Lat (Nawagaon), Caste Kanwar, Tahsil Dharamjaigarh, District Raigarh Chhattisgarh.
2. Smt. Suhagabai, W/o Chaitram, Aged About 45 Years R/o Village Lat (Nawagaon), Caste Kanwar, Tahsil Dharamjaigarh, District Raigarh Chhattisgarh.
3. Mohaga Bai, Aged About 42 Years R/o Village Lat (Nawagaon), Caste Kanwar, Tahsil Dharamjaigarh, District Raigarh Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through The Chaireman Cum Managing Director, South Eastern Coalfields Limited Seepat Road Bilaspurchhattisgarh.
2. Managing Director, South Eastern Coalfields Limited, Raigarh Area, District Raigarh (Chhattisgarh)
3. Reginal Personnel Manger, South Eastern Coalfields Limited, Raigarh Area, Behind Collectorate, Chhote Atarmuda, Post Box No. 27 District Raigarh (Chhattisgarh)
4. Staff Officer (Land Revenue), South Eastern Coalfields Limited, Raigarh Area, District Raigarh (Chhattisgarh)

---- Respondents

For Petitioners	:	Shri R. N. Pusty, Advocate
For Respondents	:	Shri Sudhir Bajpai, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/08/2017

This petition has been filed by the petitioners, who are claiming employment under the rehabilitation policy framed by the Government and respondent/SECL from time to time with an object to provide proper rehabilitation in addition to proper compensation in lieu of land acquisition.

2. Though applications have been made and claims have been raised, decisions on these applications have not been taken.

3. Learned counsel appearing for the respondent/SECL submits that whatever applications are filed seeking employment by those, whose lands have been acquired, matters are referred to the head quarter and there is a committee of officials which considers those applications in the light of the applicable rehabilitation policy. He submits that the cases where decision so far has not been taken, respondents will ensure that there is expeditious disposal of each of those applications in a time bound manner by due application of mind.

4. In view of the statement which has now been made before this Court by learned counsel for the respondent/SECL, this petition is finally disposed off at this stage with a direction to the respondents to examine the cases on its own merits upon due application of mind and take decision expeditiously. It would be in fitness to direct the respondents that where such application is pending for employment in lieu of land acquisition, it shall be decided within an outer limit of six months. In order to maintain transparency in the decision making process and to disclose mind and reason why in a given case, appointment was refused, is expected that some brief reasons are recorded in the minutes of the meeting and supplied to the concerned applicant so that he may also know the reason for rejection of his claim.

5. In cases where the petitioners have directly filed the petition without having made representation in writing, fresh representations may be filed before the competent authority.

SD/-
(Manindra Mohan Shrivastava)
Judge