**NAFR**

# HIGH COURT OF CHHATTISGARH, BILASPUR

**WPS No. 1776 of 2017**

- Rajkumari D/o Maniram, Aged About 42 Years R/o Boida Road Hardi Bazar, Tahsil Pali, District Korba Chhattisgarh.

**---- Petitioner**

**Versus**

1. South Eastern Coalfields Limited Through Its Chairman And Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur, District Bilaspur (Chhattisgarh)

2. Chief General Manager, S. E. C. L. Ltd., Gevra Area Korba, District Korba (Chhattisgarh)

3. Staff Officer (Land Revenue) South Eastern Coalfields Ltd. Gevra Area Korba District Korba (Chhattisgarh).

4. Collector, Korba, District Korba, Chhattisgarh.

**---- Respondents**

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For Petitioner : Shri Basant Kaiwartya, Advocate
For Respondents No.1 to 3: Shri Vinod Deshmukh, Advocate
For Respondent-State : Shri Arvind Dubey, PL for the State

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**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order On Board**

**17/04/2017**

1. This petition has been filed by the petitioner who is claiming employment in lieu of acquisition of his land by respondent SECL.
2. Learned counsel for the petitioner submits that the petitioner is those, whose land is involved in acquisition proceedings. she has become landless with no source of livelihood. The award was passed in the year 2013. The petitioner has raised claim of employment with the respondent SECL.

3. According to the petitioner, she is entitled to employment under the rehabilitation policy dated 25/09/1991. Further submission of learned counsel for the petitioner 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.

4. Learned counsel appearing for the respondent SECL on advance copy submits that till date, the respondent SECL has not taken any decision on petitioner's claim for employment in lieu of acquisition of her land. It is submitted that the claim of the petitioner shall be examined in the light of order passed by this Court in the case of **Ku. Rattho Bai** (supra). If the petitioner, on verification of facts, is found to be identically and similarly situated, her claim shall also be considered.

5. 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 of this matter with a direction to respondent-SECL to examine the claim of the petitioner in the light of order dated 23/07/2015 passed in the case of **Ku. Rattho Bai** (supra). If upon verification of facts, the petitioner herein is found to be identically situated, her case shall also be considered for grant of employment as per the policy of rehabilitation.

6. Considering that the matter relates to rehabilitation policy of land oustees,

respondent SECL is expected to take decision on the claim of petitioner within a period of 12 weeks from the date of receipt of copy of this order.

7. With the aforesaid observations/directions, the writ petition is finally disposed of.

Sd/-
JUDGE
PRASHANT KUMAR MISHRA

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