

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No.3261 of 2017

Samaruram S/o Lachhman, Aged about 53 years Resident of village Baltikri, Tahsil-Katghora, District Korba (CG)

---- Petitioner

Versus

- 1.** The Chief General Manager, South Eastern Coal Fields Limited (S.E.C.L.), Seepat Road, Post Box No.60, Bilaspur, District Bilaspur (CG)
- 2.** Area Manager, South Eastern Coal Fields Limited (S.E.C.L.) Sub-Area Manager-Gevra Project, Post Office-Gevra, District Korba (CG)
- 3.** Manager, South Eastern Coal Fields Limited (S.E.C.L.) Gevra Project, Post Office-Gevra, District-Korba (CG)
- 4.** State of Chhattisgarh, Secretary, Department of Revenue, Mahanadi Bhawan, New Raipur, P.S. - Rakhi, District-Raipur (CG)
- 5.** The Collector-Korba, District-Korba (CG)
- 6.** The S.D.O. Revenue - Korba, District Korba (CG)
- 7.** Tahsildar - Katghora, District Korba (CG)

---- Respondents

For Petitioner	:	Mr.Ashutosh Shukla, Advocate
For Respondents No.1 to 3	:	Mr.Vinod Deshmukh, Advocate
For Respondents No.4 to 7	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

13/12/2017

- 1.** Learned counsel for the petitioner would submit that the petitioner was granted lease of the land by the State Government and that has been acquired, but no compensation has been paid by the SECL and the State Government holding that it is a Government land, whereas he is entitled for compensation.
- 2.** On the other hand, learned counsel for respondents No.1 to 3 and learned Panel Lawyer for respondents No.4 to 7/State would oppose the writ petition.
- 3.** I have heard learned counsel for the parties and perused the

documents appended with the writ petition.

4. A careful perusal of Annexure P/1 would show that lease was granted to the petitioner for agricultural purpose for 10 years from 1975-76 to 1985-86. There is no document on record to hold that lease has been extended and thus, the petitioner's lease as per his own showing has come to an end. Even otherwise, it is the Government land and the petitioner was granted lease, which has come to an end, therefore, the petitioner's has rightly been declined to grant compensation on the said land.
5. The Supreme Court in the matter **Ahad Brothers Vs. State of M.P. and another**¹ has held that if the State was owner of the land in question, there was no reason for it to acquire its own land.
6. Similar is the proposition in the matter of **Sharda Devi Vs. State of Bihar and another**².
7. Following the principle of law laid down by the Supreme Court in the aforesaid judgments (supra), I do not find any good ground to entertain this writ petition.
8. Accordingly, the writ petition is dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-

1 (2005) 1 SCC 545

2 (2003) 3 SCC 128