

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 529 of 2017**

1. Premnarayan Jaiswal S/o Mitthulal Jaiswal, Aged About 59 Years R/o Village Suwabhodi, Police Station Dipka, Tahsil Dipka, Civil And Revenue District Korba, (Chhattisgarh)
2. Neelam Narayan Jaiswal, S/o Mitthulal Jaiswal, Aged About 55 Years R/o Village Suwabhodi, Police Station Dipka, Tahsil Dipka, Civil And Revenue District Korba (Chhattisgarh)
3. Keshav Narayan Jaiswal, S/o Mitthulal Jaiswal, Aged About 48 Years R/o Village Suwabhodi, Police Station Dipka, Tahsil Dipka, Civil And Revenue District Korba (Chhattisgarh)
4. Ram Narayan Jaiswal, S/o Mitthulal Jaiswal, Aged About 44 Years R/o Village Suwabhodi, Police Station Dipka, Tahsil Dipka, Civil And Revenue District Korba (Chhattisgarh) ---- **Petitioners**

Versus

1. South Eastern Coalfields Limited Through Chief General Manager, South Eastern Coalfields Limited, Korea (East), District Korba, (Chhattisgarh)
2. Collector, Korba, District Korba (Chhattisgarh)
3. Sub Divisional Officer (Rev), Katghora, District Korba Chhattisgarh
4. Tahsildar, Tahsil Dipka, District Korba (Chhattisgarh) ---- **Respondents**

For Petitioners	:	Mr. Govind Ram Miri, Advocate with Mr. Basant Kaiwartya, Advocate
For SECL	:	Mr. Sudhir Kumar Bajpai, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****09/05/2017**

Heard.

1. On the last date of hearing, this Court had directed the learned counsel for SECL to inform the Court regarding existence and functioning of a Tribunal to deal with the claims of compensation.
2. Today, learned counsel for SECL has placed before the Court the letter

dated 06.02.2017 of the Government of India, Ministry of Coal to submit that there is a Tribunal functioning at Bilaspur. The District Judge, Bilaspur has been constituted as Tribunal under the provision of Section 14 of the Coal Bearing Areas (Acquisition & Development) Act, 1957 (for short 'the Act of 1957') for the purposes of determining the amount of compensation in cases of disputes arising in respect of Coal Bearing Areas in the State of Chhattisgarh and Madhya Pradesh.

3. This Court earlier passed an order on 07.04.2017 that the petitioners may approach respondent authority to collect the amount of compensation under protest.
4. However, learned counsel for the petitioners submits that the petitioners have not approached because number of confusions prevailed with regard to the amount of compensation, mode and manner of determination and adjudicatory Forum.
5. The compensation as has been offered by the respondents may be received by the petitioners under protest. The receipt shall not come in the way of raising claim under Section 14 of the Act of 1957 before the Tribunal.
6. Learned counsel for the respondents submits that the petitioners may approach the competent authority and the petitioners' claim for release of the compensation amount shall be considered and appropriate amount as determined shall also be released by way of issuance of cheque/draft.
7. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E