

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5243 of 2017**

Abhimanyu Kaiwart @ Abhimanyu Lal S/o Chhedilal Kaiwart Aged About 52 Years R/o Village Newra, Post Newra, P.S. Kota, Tahsil Takhatpur, District Bilaspur Chhattisgarh
---- Petitioner

Versus

1. National Thermal Power Corporation Limited Through Its Chairman-Cum-Managing Director, Post Office Ujjawal Nagar, Sipat, P.S. Sipat, Tahsil Masturi, District Bilaspur Chhattisgarh 495555
2. Assistant General Manager, Human Resource Department, N.T.P.C. Ltd. Sipat, Post Office Ujjawal Nagar, P.S. Sipat Tahsil Masturi, District Bilaspur Chhattisgarh
3. National Thermal Power Corporation Through Its Chief Managing Director, Scope Complex 7, Institutional Area, Lodhi Road New Delhi -110003
4. The Collector Bilaspur, District Bilaspur Chhattisgarh
5. Sub Divisional Officer (Revenue), Tahsil Masturi, District Bilaspur Chhattisgarh
---- Respondents

For Petitioner	:	Ms. Laxmin Tondey, Advocate.
For State	:	Ms. Sunita Jain, Panel Lawyer
For Respondent-NTPC	:	Mr. Rajendra Tripathi Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/10/2017

Heard.

1. The petitioner's grievance as ventilated through this petition is that even though the petitioner's land has been acquired towards construction of a power plant, the petitioner's claim for employment under the then existing policy of rehabilitation of land oustees has not so far been decided and kept pending.
2. Learned counsel for the respondents submits that if the application of the

petitioner has not been decided till date, the same shall be considered and decided in accordance with the rehabilitation policy after on due verification of the facts relating to the alleged acquisition of land of the petitioner in the NTPC Project and decision would be taken at the earliest.

3. It appears that the petitioner has preferred representation only to the Collector and not to respondents No.1 to 3. Therefore, in these circumstances, it would be proper to dispose off the matter with the direction that if the petitioner submits a fresh representation within a period of one month to the NTPC and its competent authorities, the respondents shall examine petitioner's claim of employment as land oustees under the applicable rehabilitation policy and decide the same within a period of 3 months from the date of receipt of copy of the representation.
4. It is made clear that this Court has not commented upon the merits of the case. In case, the grievance of the petitioner is not redressed, the petitioner would be at liberty to take recourse to appropriate remedy as may be available to him under the law.
5. With the aforesaid liberty, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E