

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 2561 of 2018**

1. Vikash Chouhan S/o Shri Kamal Kishore Chouhan, aged about 30 years, R/o Village Suwabhondi, Gram Panchayat Chainpur, Tahsil Pali, District Korba, Chhattisgarh
2. Smt. Usha Chouhan W/o Shri Kamal Kishore Chouhan, aged about 50 Years, R/o Village - Suwabhondi, Gram Panchayat Chainpur, Tahsil Pali, District Korba, Chhattisgarh

---- Petitioners**Versus**

1. South Eastern Coal Fields Ltd. through the Chairman – Cum - Managing Director, Seepat Road Bilaspur, Civil and Revenue District Bilaspur, Chhattisgarh
2. The Chief General Manager, South Eastern Coal Fields Limited, Dipka Area, Korba, District Korba, Chhattisgarh
3. The Staff Officer (Land Revenue) South Eastern Coal Fields Limited, Dipka Area, Korba, District Korba, Chhattisgarh
4. The Collector, Korba, District Korba, Chhattisgarh

---- Respondents

For Petitioner : Shri Alok Kumar Pandey, Advocate
 For Respondents 1 to 3: Shri Chitendra Singh on behalf of Shri V. R. Tiwari, Advocate
 For Respondent no.4 : Shri B. Gopa Kumar, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****23/03/2018**

The present petition has been filed by the petitioners who are claiming employment in lieu of acquisition of their land by respondent/Coal Company.

2. Learned counsel for the petitioners submits that the petitioners are those, whose lands are involved in acquisition proceedings. They have become landless with no source of livelihood. The award was passed in the year 2004. The petitioners have raised claim of employment with the respondent / company.

3. According to the petitioners, they are entitled to employment under the rehabilitation policy dated 25/09/1991. Further submission of learned counsel for the petitioners 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 / coal company has not taken any decision on petitioners' claim for employment in lieu of acquisition of their land. It is submitted that the claim of the petitioners shall be examined in the light of order passed by this Court in the case of Ku. Rattho Bai (supra). If the petitioners, on verification of facts, are found to be identically and similarly situated, their 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 off this matter with a direction to respondent no.2 to examine the claim of the petitioners in the light of order dated 23/07/2015 passed in the case of Ku. Rattho Bai (supra). If upon verification of facts, the

petitioners herein are found to be identically situated, their 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 No.2 is expected to take decision on the claim of respective petitioners within a period of 12 weeks from the date of receipt of copy of this order.

7. With the aforesaid observations / directions, the present petition is finally disposed off.

**Sd/-
(P. Sam Koshy)
JUDGE**