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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1033 of 2018**

Tej Ram S/o Bhandari, aged about 85 years, R/o Village Chhal, Janpad Panchayat, Dharamjaigarh, District Raigarh (C.G.)

---- Petitioner**Versus**

1. Union Of India Through Secretary, Ministry Of Coal, Shastri Bhawan, New Dehli 110001., District : New Delhi, Delhi
2. South Eastern Coal Fields Limited, Through Its Chairman Cum Managing Director, Seepat Road, Bilaspur District Bilaspur Chhattisgarh.
3. Sub Area Manager, Chhal Sub Area, SECL, Raigarh Chhattisgarh.
4. Collector Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
5. Sub Divisional Officer (Revenue) Dharamjaigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents**WPC No. 1035 of 2018**

Jogi Ram Rathiya S/o Manglu, aged about 58 years, R/o Village Chhal, Janpad Panchayat, Dharamjaigarh, District Raigarh, (C.G.)

---- Petitioner**Versus**

1. Union Of India Through Secretary, Ministry Of Coal, Shastri Bhawan, New Dehli 110001., District : New Delhi, Delhi
2. South Eastern Coal Fields Limited, Through Its Chairman Cum Managing Director, Seepat Road, Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Sub Area Manager, Chhal Sub Area, SECL, Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. Collector Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
5. Sub Divisional Officer (Revenue) Dharamjaigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

And

WPC No. 1036 of 2018

Bed Ram S/o Daya Ram, aged about 60 years, R/o Village – Chhal, Janpad Panchayat, Dharamjaigarh, District Raigarh, (C.G.)

---- Petitioner

Versus

1. Union Of India Through Secretary, Ministry Of Coal, Shastri Bhawan, New Dehli 110001., District : New Delhi, Delhi
2. South Eastern Coal Fields Limited, Through Its Chairman Cum Managing Director, Seepat Road, Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Sub Area Manager, Chhal Sub Area, SECL, Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. Collector Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
5. Sub Divisional Officer (Revenue) Dharamjaigarh, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	: Mr. Shishir Dixit, Advocate.
For Respondents	: Mr. H. B. Agrawal with Mr. Pankaj Agrawal, Advocates
For Respondent No. 1	: Mr. Rajesh Kumar Kesharwani, Advocate.
For State	: Mr. R. N. Pusty, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

12/04/18

The office objection is over ruled.

1. Learned counsel appearing for the petitioners would submit that the petitioners' land has been acquired by the respondent No. 2- South Eastern Coal Fields Limited (SECL), under the provisions of Coal Bearing Act (Acquisition and Development Act), 1957 (for short the "Act of 1957") in lieu

of which neither compensation has been paid to the petitioners nor rehabilitation has been provided to them till date. The petitioners have also made representations before the competent authorities but it has not been considered and decided till date. He would further submit that respondents are not taking cognizance of the memo dated 04.08.2017 issued by Government of India in which certain clarifications have been issued.

2. I have heard learned counsel for the petitioners.

3. The prayer appears to be fair and reasonable and is accordingly allowed.

4. Be that as it may, the respondents No. 2 & 3 are directed to consider and decide the petitioners' representations strictly in accordance with law within a period of three months from the date of receipt of certified copy of this order and the respondents are also directed to take cognizance of the memo dated 04.08.2017 issued by Government of India.

5. With the aforesaid directions, the writ petitions are accordingly disposed of. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge