

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 2747 of 2018

Santra Bai wife of Padum Sing Kanwar, Daughter of Late Chain Singh, aged about 33 years, R/o. Village Murli basti, Tahsil Pali, District Korba, Chhattisgarh.

---- **Petitioner**

Versus

1. South Eastern Coalfields Limited, through it's Chairman-cum-Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur, District Bilaspur, Chhattisgarh.
2. Chief General Manager, S.E.C.L. Gevra Area Korba, District Korba, Chhattisgarh.
3. General Manager, S.E.C.L. Gevra Area Korba, District Korba, Chhattisgarh.
4. Staff Officer (Land Revenue), South Eastern Coalfields Limited, Gevra Area, Kobra, District Kobra, Chhattisgarh.
5. Collector Korba, District Korba, Chhattisgarh.

---Respondents

For petitioner	:	Shri Govind Ram Miri & Shri Basant Kaiwartya, Advocates.
For Respondent	:	Shri Varun Mishra on behalf of Shri V.R. Tiwari, Advocate.
For State	:	Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/04/2018

1. This petition has been filed by the petitioner who is claiming employment in lieu of acquisition of his land by respondent / Coal Company.
2. Learned counsel for the petitioner submits that the petitioner is those, whose land is involved in acquisition proceedings. She has become landless with no source of livelihood. The award was passed in the year 2004. The petitioner has raised claim of employment with the respondent / company.
3. According to the petitioner, she is entitled for employment under the rehabilitation policy dated 25.09.1991. Further submission of learned counsel

for the petitioner is that the case of similarly situated land oustees came up for consideration before this Court in the case of Ku. Rattho Bai & anr. Vs. South Eastern Coalfields Limited & ors. in WPS No. 432 of 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 condition 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 his land. It is submitted that the claim of the petitioner shall be examined in the light of order passed by this Court in the case of Ku. Rattho Bai (Supra). If the petitioner, on verification of facts, is found to be identically and similarly situated, her 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 of this matter with a direction to respondent No. 2 to examine the claim of the petitioner in the light of order dated 23.07.2015 passed in the case of Ku. Rattho Bai (supra). If upon verification of facts, the petitioner herein is found to be identically situated, her 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 petitioner within a period of 12 weeks from the date of receipt of copy of this order.

7. With the aforesaid observations/directions, this petition is finally disposed of.

Sd/-

(P. Sam Koshy)
JUDGE