

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 4584 of 2018**

Sanjay Singh S/o Shri Nanhu Ram, Aged About 43 Years,
Occupation - Cultivator, R/o Silphilee, Police Station Jainagar, Tahsil
and District Surajpur, Chhattisgarh

---- Petitioner**Versus**

1. South Eastern Coalfields Limited (S.E.C.L.) through the Chairman
Cum Managing Director, Seepat Road, Bilaspur, Chhattisgarh
2. The Chief General Manager, South Eastern Coalfields Limited,
Bishrampur District Surajpur, Chhattisgarh
3. The Personnel Manager, South Eastern Coalfields Limited,
Bishrampur, District Surajpur, Chhattisgarh
4. The Sub Area Manager, South Eastern Coalfields Limited,
Bishrampur, District Surajpur, Chhattisgarh
5. The Survey Officer, Office of the General Manager South Eastern
Coalfields Limited, Bishrampur, District Surajpur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Ashok Kumar Shukla, Advocate
For Respondents	:	Shri V. R. Tiwari, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17/07/2018**

The present writ petition has been filed seeking for two major reliefs:
one is for payment of compensation for the land which was acquired from
the petitioner and second is for extending the benefit of employment to the

petitioner on a suitable post under the rehabilitation scheme applicable at the relevant point of time.

2. At the outset, this Court finds the present writ petition to be suffered from inordinate delay and laches. The alleged land belonging to the petitioner is said to have been acquired somewhere in the year 1998 when the award was passed on 27.02.1998 under the Land Acquisition Act. The present writ petition has been filed as late as on 29.06.2018 i.e. after more than 20 years from the date the land was acquired. No proper justifiable explanation has been provided by the petitioner for the delay which has caused except for the usual plea taken by similar petitioners of their making repeated representations and that they were hopeful of a decision on those repeated representations.

3. So far as the delay and laches is concerned, this Court is of the firm view that it does not require much of discussion as the same has been settled by a catena of decisions of the Supreme Court starting from the cases of Bhoop Singh v. Union of India¹, New Delhi Municipal Council v. Pan Singh and others², and recently in the case of Chennai Metropolitan Water Supply and Sewerage Board and others v. T. T. Murali Babu³.

4. Another aspect which cannot be brushed aside considering the fact of the present case is that the petitioner herein is aged around 43 years that means at the time of acquisition of land he was quite grown up major person aged around 23 years fully aware of his rights and entitlement. If the petitioner has been sleeping over his right and was indolent to the remedies that were available to him, the petitioner now cannot come up before this Court after more than two decades claiming for something

¹ (1992) 3 SCC 136

² (2007) 9 SCC 278

³ (2014) 4 SCC 108

which has by efflux of time become stale and dead. Entertaining of such writ petition can open a Pandora box of similar stale matters which have died their own death by efflux of time. Moreover, the other defect which this Court finds is that in the present writ petition, the State Govt. or the land acquisition officers have not been made a party. The writ petition on this ground also is defective.

5. Given the said facts, this Court is not inclined to entertain the present writ petition and the same deserves to be and is accordingly dismissed on the ground of delay and laches.

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