

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1053 of 2019

1. Jiyalal Suryawanshi S/o Late Shri Hiranman Suryawanshi Aged About 70 Years
 2. Sarnath Suryawanshi S/o Jiyalal Suryawanshi Aged About 22 Years
- Both are at Present Address- Village Bhilmi, Post Daganiya Khaira, P. S. Sipat, Tehsil Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioners

Versus

1. N.T.P.C. Limited Through Its Chief Managing Director, Scope Complex, 7, Institutional Area, Lodhi Road, New Delhi- 110003
2. N.T.P.C. Limited Through Its Chairman Cum Managing Director Post Sipat, Tahsil Masturi, District Bilaspur, Chhattisgarh. Pin Code 495555
3. Staff Officer (Land Revenue) N.T.P.C. Limited, Post Sipat, Tahsil Masturi, District Bilaspur, Chhattisgarh. Pin Code 495555
4. Assistant General, Manager Human Resource Department N.T.P.C. Limited, Post Sipat, Tahsil Masturi, District Bilaspur, Chhattisgarh. Pin Code 495555.
5. The Collector Bilaspur, District Bilaspur, Chhattisgarh. Pin Code 495001.
6. Sub Divisional Officer (Revenue) Tahsil Masturi, District Bilaspur, Chhattisgarh.

---Respondents

For Petitioners	:	Mr. Sangharsh Pandey, Advocate
For Respondents/NTPC	:	Mr. B.D. Guru, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/02/2019

1. The grievance of the petitioner in the present writ petition is that the respondents No. 1 to 4 had got the lands belonging to the petitioners acquired for the purpose of establishment of the power plant. The rehabilitation policy prevailing and the understanding that the respondents No. 1 to 4 had with the State Government was in

providing employment to those persons, who would be losing their lands in the course of acquisition proceedings.

2. According to the petitioners, the respondents have taken an area of 1.44 acre of land for the purpose of establishing the power plant. The respondents also on scrutiny found the petitioners entitled for the benefits of rehabilitation and in the order of seniority, the name of the petitioners appeared at serial No.194, out of about 600 applicants. He further submits that vide Annexure P/6 dated 27.08.2018, the respondents had also issued a correspondence to the petitioners asking the petitioners to provide certain documents, which were required for processing their claim for grant of benefit in accordance with the rehabilitation policy. Particularly for granting employment with the respondents No.1 to 4, however though the petitioners have fulfilled and submitted all the requisite documents, but till date the respondents have not taken any decision in this regard.
3. Given the said facts and circumstances of the case, let the respondents No.2 & 4 scrutinize the claim of the petitioners and take an appropriate decision in accordance with the policy of the respondents. The respondents while considering shall also take note of the fact that the policy of the rehabilitation provides for either employment or in the event employment is not given, the Claimants would be entitled annuity (monetary assistance). The respondents shall also take note of the fact that in the seniority list the name of the petitioners appears at serial No.194.
4. Let this exercise be completed within a period of 60 days from the date of receipt of the copy of this order.

5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved