

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3448 of 2018**

- Chaitram S/o Late Dauram Rawat Aged About 47 Years R/o Village Durpa, Tahsil Katghora, District Korba, Chhattisgarh

---- Petitioner**Versus**

1. General Manager S. E. C. L. Kusmunda Area Kotghora, Tahsil Katghora, District Korba, Chhattisgarh.
2. Chairman Cum Managing Director S. E. C. L. Bilaspur, District Bilaspur, Chhattisgarh
3. Setram S/o Late Chamru (Died) Aged About 79 Years R/o Village Sarwamangala Nagar, Durpa, Tahsil Katghora, District Korba, Chhattisgarh.

---- Respondent

For Petitioner
For Respondent-SECL

Mr. Neeraj Pradhan, Advocate
Mr. Vinod Deshmukh, Advocate

Order On Board By**Hon'ble Mr. Justice Prashant Kumar Mishra****2/1/2019**

1. Heard.
2. The petitioner is claiming employment in lieu of acquisition of land in the name of his grandmother Phool Bai and/or his father and uncle namely Dauram and Setram.
3. The petitioner had earlier preferred Civil Suit No.81-A/2016, which was dismissed on 22.12.2016. However, the Appellate Court of ADJ, Katghora in Civil Appeal No.18-A/2018, decided

on 25.6.2018, observed that the petitioner's entitlement to employment in lieu of acquisition of land has to be considered by the SECL, for which, no direction can be issued by the Civil Court. The petitioner relied on a decision rendered by this Court in WP No.6363/2011 (Gopal Krishna Vs. SECL and others) decided on 16.8.2016, to which, the Appellate Court observed that the said direction was issued by the writ Court and not by the Civil Court.

4. In the facts and circumstances of the case, the writ petition is disposed of with direction that in the event, the petitioner moves a fresh representation before respondents 1 & 2 within a period of one month from today seeking employment in lieu of acquisition of land belonging to his grandmother and/or his father and uncle, the same shall be considered and decided by the said respondents by a reasoned order, at the earliest, preferably within a period of 3 months from the date of submission of representation.

Sd/-

(Prashant Kumar Mishra)

Judge

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