

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4608 of 2020

1. Smt. Ful Kumari, W/o Nagendra Pratap, Aged About 27 Years R/o Village Baraoud, Raigarh, District Raigarh, Chhattisgarh.

---Petitioner(s)

Versus

1. South Eastern Coalfield Limited Through Managing Director, Office At Seepat Road, Bilaspur, Chhattisgarh.
2. General Manager, South Eastern Coalfield Limited, Raigarh Area, District Raigarh, Chhattisgarh.
3. In Charge Officer (Land Revenue) South Eastern Coalfields Limited, Raigarh Area, Raigarh, District Raigarh, Chhattisgarh.
4. Collector, Raigarh, District Raigarh, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Yogesh Chandra, Advocate.
For Respondents	:	Shri Sudhir Bajpai, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.12.2020

1. The challenge in the present writ petition is to Annexure P/1 dated 06.09.2019 by which the claim of the petitioner for employment against the land which was acquired by the respondents was turned down by the respondents.
2. The impugned order was passed in the backdrop of the order passed by this court in WPS No.3386 of 2019 disposed of on 07.05.2019. Pursuant to the disposal of the said writ petition, the respondents had issued Annexure P/3 dated 05.06.2019 calling upon the petitioner to furnish the documents as per letter dated 05.06.2019 wherein the petitioner was asked to produce documentary proof in respect of the details provided in the said documents itself. According to counsel for the petitioner, the petitioner had submitted all the documents as was sought for by the respondents, however, the respondents have not properly considered those documents and have in a superficial manner without minutely considering the

documents that were submitted, have rejected the claim of the petitioner.

The entire documents as per requirement of Annexure P/3 was submitted but these facts are not discussed or revealed in the contents of the impugned order while rejecting the claim of the petitioner.

3. Be that as it may, since there is already an order passed by this court while disposing of WPS No.3386 of 2019 for considering the case of the petitioner so far as claim for employment against the land which was acquired is concerned, this court is of the opinion that the authorities concerned while passing the impugned order ought to have been more specific and should have specifically dealt with whatever documents that have been provided by the petitioner, if at all if she has provided. If not provided, she should have specifically asked to provide for those documents alone.
4. At this juncture, the counsel for the petitioner submits that the petitioner is still willing to provide all those documents once again for her claim to be scrutinized.
5. The said proposal of the counsel for the petitioner was acceptable to the counsel for the respondents.
6. In view of the said, the present writ petition at this juncture stands disposed of directing the petitioner to submit once again the entire documents as is sought for in Annexure P/3 dated 05.06.2019 to the authorities within a period of three weeks from the date of receipt of copy of this order. The respondents, in turn, are directed to scrutinize the claim of the petitioner in terms of the scheme for rehabilitation applicable in the department so far as grant of employment against the land of the petitioner which was acquired, at the earliest preferably within a further period of 90 days.

7. With the aforesaid observations, the writ petition stands disposed of.
8. It is made clear that pendency of any other writ petition before this court would not come in the way of the respondents in deciding the claim of the petitioner independently.

Sd/-
(P. Sam Koshy)
Judge

inder