

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 524 of 2021**

Ashok Singh Tiwarta Transport through its proprietor Ashok Kumar Dhulyani, son of Late Shri Dullumal Dhulyani, aged about 53 years, R/o Tiwarta, Dipka, P. S. Dipka, Tehsil Katghora, District Korba Chhattisgarh

Petitioner**Versus**

1. South Eastern Coal Field Limited through Chairman-Cum-Managing Director, Head Office, Seepat Road, Bilaspur Revenue and Civil District Bilaspur Chhattisgarh
2. South Eastern Coal Field Limited through Chief General Manager, Gevra Project (Gevra Area), Korba Revenue and Civil District Korba Chhattisgarh
3. Estate Officer S.E.C.L. Gwera Sub-Area (S. E. C. L.), Gevra Project (Gevra Area), Korba Revenue and Civil District Korba Chhattisgarh
4. State of Chhattisgarh through Collector, Korba District Korba Chhattisgarh
5. Sub Divisional Officer (Revenue) Katghora, District Korba Chhattisgarh
6. Station House Officer Police Station Dipka, District Korba Chhattisgarh ----

Respondents

For Petitioner	:	Shri Surfaraj Khan, Advocate
For the SECL	:	Shri Pankaj Agrawal, Advocate
For the State-Respondents:		Shri Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27.01.2021**

Heard.

1. The instant petition is against the notice dated 11.01.2021 (Annexurer P-1).
2. Learned counsel for the petitioner submit that the petitioner was served with a notice dated 11.01.2021 (Annexure P-1) and was asked to vacate the land where he was running his transport business and was informed that the said land had been acquired under the Coal Bearing Act, 1947. He further submits that the said notice was served to petitioner on 12.01.2021 and only

2 days time was granted to him to file reply, therefore, the petitioner could not get reasonable opportunity to defend and put forward his cause. Therefore, he prays that he may be given proper opportunity to defend his cause.

3. Considering the nature of notice, since it is a show cause notice, it is directed that the petitioner shall reply to the show cause notice and reasonable opportunity shall be granted to the petitioner so as to defend his cause. It is further directed that after hearing the petitioner and consideration of the documents the Officer shall pass the necessary orders. The petitioner is directed to file reply within a period of 10 days from the date of receipt of a copy of this order, thereafter the Officers shall adjudicate the same in accordance with law. It is further directed that till such decision is arrived at no forceful demolition or eviction shall be carried out.
4. With the aforesaid observation, the petition stands disposed of.

**Sd/-
(Goutam Bhaduri)
Judge**