

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3100 of 2021

- Smt. Neelam Devi, W/o Rajkumar, Aged About 48 Years Caste Teli, R/o Khedapali, Post Pusalda, Police Station Chhal, Tehsil Dharamjaigarh, District Raigarh, Chhattisgarh.

---- Petitioner

Versus

1. Union Of India Through Ministry Of Coal, Rajpath Area, Central Secretariat, New Delhi
2. South Eastern Coalfields Limited Through Its CMD Office At Seepat Road Bilaspur, Tehsil And District Bilaspur, Chhattisgarh
3. Sub Area Manager, Sub Area Chhal, Tehsil Dharamjaigarh, District Raigarh, Chhattisgarh
4. Collector Raigarh District Raigarh Chhattisgarh.
5. Sub Divisional Officer Cum Land Acquisition Officer Dharamjaigarh District - Raigarh, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Surfaraj Khan, Advocate
For Union of India	:	Mr. Tushar Dhar Diwan, On behalf of Shri Ramakant Mishra, ASG
For SECL	:	Mr. Pankaj Agrawal, Advocate
For State	:	Mr. Ashish Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.08.2021

1. Heard
2. Learned counsel appearing for the petitioner would submit that the petitioner's land has been acquired by the respondent No. 2- South Eastern Coal Fields Limited (SECL), under the provisions of Coal Bearing Act(Acquisition and Development Act), 1957 (for short the "Act of 1957") in lieu of which neither compensation has been paid to the petitioner nor rehabilitation has been provided to him till date. The petitioner has also made representations before the competent authorities but it has not been considered and decided till date. He would further submit that respondents are not taking cognizance of the memo dated 04.08.2017 issued by Government of India in which certain clarifications

have been issued.

3. I have heard learned counsel for the petitioner.
4. The prayer appears to be fair and reasonable and is accordingly allowed.
5. Considering the facts of the case, the petitioner is given liberty to make a fresh representation to Respondents No. 2 & 3 within a period of 3 weeks from today and if such representation is filed, Respondents No. 2 & 3 are directed to decide the representation strictly in accordance with law within a further period of 3 months from the date of receipt of the copy of the representation. The respondents are also directed to take cognizance of the memo dated 04.08.2017 issued by the Government of India.
6. With the aforesaid directions, the writ petition is accordingly disposed off. No order as to cost(s).

Sd/-
(Goutam Bhaduri)
Judge

Jyoti