

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(C.) No.4156 of 2021**

- Shivilal Sahu, S/o Kunjram Sahu Aged About 55 Years R/o Village Bijari,  
Post - Porda Tehsil Gharghoda District Raigarh Chhattisgarh

**---- Petitioner**

***Versus***

1. Union Of India Through Ministry Of Coal Ministry Of Coal, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi, 110001
2. South Eastern Coal Field Limited Through Its Chairman Cum Managing Director Office At Seepat Road Bilaspur District Bilaspur Chhattisgarh
3. South Eastern Coal Field Limited Through Its General Manager Raigarh Aea Behind Collector Office Office Kaya Ghat Raigarh District Raigarh Chhattisgarh
4. State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mantralay Mahanadi, Raipur Chhattisgarh
5. Collector Raigarh District Raigarh Chhattisgarh
6. Sub - Divisional Officer (Revenue) Gharghoda District Raigarh Chhattisgarh

**---- Respondents**

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|-----------------------------|--------------------------------------------------------------------------|
| For Petitioner              | – Mr. Surfaraz Khan, Advocate.                                           |
| For Respondent No.01/U.O.I  | – Mr. Vivek Mishra, Advocate on behalf of Mr. Ramakant Mishra, Asst.S.G. |
| For Respondents No.2 & 3    | – Mr. Pankaj Agrawal, Advocate.                                          |
| For Respondents No.4, 5 & 6 | – Mr. Ashish Tiwari, Govt. Advocate.                                     |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**18-10-2021**

Heard.

1. It is submitted by learned counsel for the petitioner that the land owned by the petitioners has been acquired for respondent No.2 under the

provisions of Coal Bearing Areas (Acquisition and Development) Act, 1957. The compensation of the petitioner has been determined by the competent authority vide award dated 19.08.2017, however, the petitioner is making this claim that compensation should be assessed under the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. The representations made by the petitioner have not been decided so far by the respondents. Hence, this petition.

2. Considered on the submissions. After considering on the facts as represented, the petition is disposed off at motion stage. The petitioner is granted liberty to make a fresh representation to respondent No.2 and 3 within a period of 02 weeks and if any such representation is filed, the respondent No.2 and 3 are directed to decide the representation strictly in accordance with law within a period of 03 months from date of receipt of the representation. Respondent No.2 and 3 are also directed to take cognizance of the extraordinary Order S.O. No.2368(E) dated 28.08.2015, while deciding this representation.
3. Accordingly, this petition is disposed off.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
**Judge**