

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 263 of 2021**

Kishan Kumar Jaiswal S/o Bharat Lal Jaiswal Aged About 25 Years R/o
Village Navagaon, Post Katghora, District Korba Chhattisgarh

---- Petitioner**Versus**

1. The Chief General Manager South Eastern Coalfields Limited (SECL),
Kusmunda Gevra Area, Korba, District Korba Chhattisgarh
2. Area Manager South Eastern Coalfields Limited (SECL) Sub Area
Manager Gevra Project, Post Office Gevra District Korba Chhattisgarh
3. Personal Manager (Revenue) SECL Kusmunda Gevra Project Post
Office Gevra, District Korba Chhattisgarh
4. The Collector Korba District Korba Chhattisgarh
5. The Sub Divisional Officer Revenue Cum Acquisition Officer Katghora
District Korba Chhattisgarh
6. The Tahsildar Katghora, Tahsil Katghora, District Korba Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ashutosh Shukla, Advocate
For State	:	Mr. S. S. Thakur, PL
For SECL	:	Mr. Sudhir Kumar Bajpai, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/02/2021**

1. The grievance of the petitioner in the present writ petition is the inaction on the part of the respondents in not passing appropriate order so far as employment in lieu of the land acquired belonging to the family of the petitioner by the respondents no.1, 2 & 3.

2. According to the petitioner the land belonging to the petitioner was acquired as early as in the year 1981-82 and under the Rehabilitation Policy they were entitled for employment in lieu of the land acquired but till date same has not been adhered to. According to the petitioner, meanwhile respondent authorities had issued a publication on 12.07.2016 calling upon the people whose claim for employment is still pending consideration against the land which was acquired but in spite of petitioner's approaching the authorities, the same till date has not been finalized.
3. Learned counsel appearing for respondent no.1, 2 & 3 submits that from the records it appears that petitioner was born much after the date of acquisition, therefore whether he would be entitled for the benefit of employment also is to be considered. Moreover, it was also contention of the counsel for the respondents no.1, 2 & 3 since the acquisition was done in the year 1981-82 it also needs consideration whether there was any Rehabilitation Policy provided at the time of acquisition or whether the land oustee were paid compensation also taking into consideration the said loss of income from the said property.
4. Be that as it may, since the claim of the petitioner till date has not been finalized by the respondents, it is expected that respondent take a decision either in affirmative or in negative in accordance with policy governing the field so far as providing employment to the land oustees are concerned. From the pleadings there does not seem to be any order passed by the authorities till date holding the petitioner not being entitled for benefit.

5. Given the said facts, let respondent no.1, 2 & 3 take appropriate decision so far as claim of the petitioner for employment is concerned against the land belonging to his family which stood acquired.
6. Let a decision be taken at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.
7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit