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**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 5158 of 2021**

1. Jagannath S/o Pancharam Aged About 46 Years R/o Village Bijari, Tehsil Gharghora, District Raigarh Chhattisgarh
2. Bholaram S/o Late Bhajram Aged About 52 Years R/o Village Bijari, Tehsil Gharghora, District Raigarh Chhattisgarh
3. Brijesh S/o Bholaram Aged About 28 Years R/o Village Bijari, Tehsil Gharghora, District Raigarh Chhattisgarh
4. Ghanshyam S/o Pancharam Aged About 56 Years R/o Village Bijari, Tehsil Gharghora, District Raigarh Chhattisgarh
5. Pancharam S/o Nandram Aged About 72 Years R/o Village Bijari, Tehsil Gharghora, District Raigarh Chhattisgarh

---- Petitioner

**Versus**

1. Union Of India Through Ministry Of Coal, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi 110001
2. Collector Raigarh District Raigarh Chhattisgarh
3. Sub Divisional Officer (Revenue) Gharghora District Raigarh Chhattisgarh
4. South Eastern Coalfields Limited Through Its Managing Director Cum C. M. D. Seepat Road Bilaspur District Bilaspur Chhattisgarh

----Respondents

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|--------------------|---|----------------------------------|
| For Petitioner     | : | Mr. Hariom Rai, Advocate.        |
| For Union of India | : | Mr. Tushar Dhar Diwan, Advocate. |
| For State          | : | Ms. Priyamvada Singh, Dy. G.A.   |
| For SECL           | : | Mr. Pankaj Agrawal, Advocate     |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****14.12.2021**

1. The present writ petition has been filed seeking for following the relief:-

“10.1 That, this Hon'ble Court may kindly please to direct the respondents for conducting survey on the land of the petitioners within a period of 60 days.”

2. The present writ petition has been filed after more than 11 years from the time the land belonging to the petitioners stood acquired. The petitioners have voluntarily with wide open eyes accepted the acquisition and the compensation determined by the authorities concerned and have also received the entire compensation part. Now after 11 years, the petitioners felt that the compensation paid was insufficient and have approached this High Court by way of a present writ petition.
3. This Court prima facie is of the opinion that the present writ petition for the given relief sought for would not be maintainable when under the provisions of the Coal Bearing Act itself under which the acquisition was done in the year 2010 has a mechanism provided for ventilating the grievances which the petitioners have raised in the present writ petition.
4. Given the said facts, this Court is of the opinion that the writ petition suffers from inordinate delay and the same deserves to be and is accordingly rejected. However, the right of the petitioner to claim appropriate relief under the said Act under which the acquisition has been done, if the law so permits, would be left open.

**Sd/-**

**P. Sam Koshy  
Judge**