

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.16179 OF 2022

Goutam Adha

....

Petitioner

Mr.R.N.Prusty, Adv.

-versus-

***Chief Manager, Mahanadi Coalfield
Ltd., Sambalpur & ors.***

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

ORDER

18.7.2022

Order

No.

1.

1. Heard learned counsel for the Parties.

2. The Writ Petition involves the following prayer :-

“The Petitioner, therefore, prays that this Hon’ble Court may be graciously pleased to admit this writ petition, issue Rule NISI to the Opp.Parties and call for the records and after hearing the parties to this writ petition, this Hon’ble Court may further be pleased to issue an appropriate writ in the nature of mandamus or any other appropriate writ against the Opp.Parties and give direction to the Opp.Parties particularly to the Opp.Party No.2 to take step for his employment against acquisition of his land in the district of Jharsuguda as per law in the interest of justice and equity...”

In Paragraph-9 of the Writ Petition, the Petitioner has the following pleading :-

“9.That it is respectfully submitted that the petitioner being a land oustee had made an application before the Opp.Parties with a prayer to give him employment under Rehabilitation and Resettlement policy to enable him to maintain him and his family members, but in vain.”

3. This Court finds, the Petitioner has claimed for employment being a land oustee and seeking coverage of the provision in the rehabilitation and re-settlement policy of the O.P.-Company.

4. Considering the case to be pending in the hand of the O.Ps., this Court finds, the Writ Petition is premature at this stage, but however, in disposal of the same as not entertainable at this stage, directs O.P.2 to consider the request, if any, pending before him at the instance of the Petitioner, as claimed in Paragraph-9, further taking into consideration the plea taken in the Writ Petition involved herein by undertaking the complete exercise giving opportunity of participation to the Petitioner within a period of six weeks from the date of communication of this order. The Petitioner is directed to serve a copy of this order along with copy of the Writ Petition on O.P.2 within ten days from today.

(Biswanath Rath)
Judge

M.K.Rout