

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.4230 OF 2021

1. Jija Ramesh Nawale,
aged about 55 years,
Occ. Agriculturist,
R/o Pragati Nagar, Taluqa Wani
Wani, Dist. Yawatmal
 2. Mahesh S/o Yadavrao Dhawas,
aged about 37 years,
occ. Service, R/o Near Akashwani,
Chandrapur Tq. And Dist. Chandrapur
 3. Sandhya w/o Mahesh Dhawas,
aged about 34 years,
occ. Agriculturist, R/o Near Akashwani,
Chandrapur Tq. And Dist. Chandrapur
- ... Petitioners

-vs-

1. Western Coalfields Ltd.
Thr. Its Area General Manager,
Ballarpur area, Dist. Chandrapur
- ... Respondent

WITH

WRIT PETITION NO.3632 OF 2021

1. Jayashree alias Pallavi Sunil Vandhare
Aged about 21 years,
Occupation – Student
 2. Anita Sunil Vandhare,
Aged about 40 years,
Occupation Agriculturist,
Both R/o Waroda, PO. Sakhara,
Tah. Rajura, Dist. Chandrapur
- ... Petitioners

-vs-

1. Western Coalfields Ltd.
Thr. Its Chief General Manager,
Ballarpur Tah. Ballarpur, Dist. Chandrapur
2. Western Coalfield Limited

Headquarter, Nagpur
Through its Chairman-cum-Managing Director,
Civil Lines, Nagpur

... Respondents

WITH
WRIT PETITION NO.4229 OF 2021

1. Vishal s/o Dattuji Kale,
Aged about 35 years,
Occ. Agriculturist, R/o Chincholi (Khurd),
Tal. Rajura, Dist. Chandrapur

2. Shankar Nanaji Poda,
aged about 51 years,
Occ. Service, R/o Quarter No.E/185/4,
Urja Nagar, Chandrapur,
Tq. And Dist. Chandrapur

... Petitioners

-vs-

Western Coalfields Ltd.
Thr. Its Area General Manager,
Ballarpur area, Dist. Chandrapur

... Respondent

WITH
WRIT PETITION NO.4231 OF 2021

Bhavika d/o Shankar Poda,
Aged about 21 years,
Occ. Student, R/o Quarter No.E/185/4,
Urja Nagar, Chandrapur
Tq. and District Chandrapur

... Petitioner

-vs-

Western Coalfields Ltd.
Thr. Its Area General Manager,
Ballarpur area, District Chandrapur

... Respondent

WITH
WRIT PETITION NO.4232 OF 2021

1. Shankar Nanaji Poda,
aged about 51 years, Occ. Service,
R/o Quarter No.E/185/4,
Urja Nagar, Chandrapur,

Tq. And District Chandrapur

2. Archana W/o Shankar Pode,
aged about 42 years, Occ. Household,
R/o Q. No.E/185/4, Urja Nagar,
Tq. And District Chandrapur ... Petitioners

-vs-

Western Coalfields Ltd.
Thr. Its Area General Manager,
Ballarpur area, District Chandrapur ... Respondent

WITH
WRIT PETITION NO.4233 OF 2021

1. Mahendra Yadavrao Dhawas,
Aged about 43 years.
Occ. Business, R/o Near Ganesh
Apartment, Chandrapur,
District Chandrapur
2. Shankar Nanaji Pode,
aged about 51 years, Occ. Service,
R/o Quarter No.E/185/4,
Urja Nagar, Chandrapur,
Tq. And District Chandrapur ... Petitioners

-vs-

Western Coalfields Ltd.
Thr. Area General Manager,
Ballarpur area, Dist. Chandrapur ... Respondent

Shri Anil P. Thakare, Advocate for petitioners.
Ms Preeti Rane, Advocate for respondents in W.P. Nos.4230/21, 4231/21 and
4233/21
Shri C. S. Samudra, Advocate for respondents in W.P. Nos.3632/21, 4229/21 and
4232/21.

CORAM : A. S. CHANDURKAR AND SURENDRA P. TAVADE, JJ.
DATE : January 05, 2022

Oral Judgment : (Per : A. S. Chandurkar, J.)

Rule. Rule made returnable forthwith and heard the learned

counsel for the parties.

The case of the petitioners in these writ petitions is that the lands owned by them have been acquired by the Western Coalfields Ltd. under provisions of the Coal Bearing Areas (Acquisition and Development) Act, 1957. The petitioners contend that under the 'Rehabilitation and Resettlement Policy of Coal India Ltd. 2012', they are entitled either for compensation or for grant of employment. Each petitioner has made an application to the Western Coalfields Ltd. for being granted benefit under the aforesaid policy. It is in this backdrop prayed that a family member be granted employment as a nominee of the other.

2. The learned counsel for the respondents submitted that the case of each petitioner would have to be examined as to whether they are entitled for any benefit under the concerned policy.

3. Considering the aforesaid aspect, the interests of justice would be served by directing the respondents to examine the applications made by each petitioner in accordance with the relevant existing policy and grant them the necessary benefit if they are found entitled to it. The necessary decision on these applications be taken within a period of three months from the date of production of this order. The fate of the applications and decision taken thereon shall be communicated to the petitioners. It is

made clear that the respondents shall consider the applications on their own merits and in accordance with the policy that is applicable. All contentions of the parties are kept open.

Rule is made absolute in aforesaid terms. No costs.

(Surendra P. Tavade, J.)

(A. S. Chandurkar, J.)

Asmita