



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

WRIT PETITION NO 1652 OF 2023

du s/o Deorao Lende Vs. Western Coalfields Ltd thr its Regional Manager, Nagpur and anr)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N.R. Tekade, Advocate for petitioner.
Mr. C.S. Samudra, Advocate for respondent Nos. 1 and 2.
Mr. N.A. Gaikwad, Advocate for respondent Nos. 3, 5(AtoC,E&F)
Mr. J.B. Gandhi, Advocate for respondent No. 4.

CORAM : ANIL S. KILOR & RAJNISH R. VYAS, JJ.

DATED : 04-09-2025.

Heard.

2. A limited issue involved in this petition is that whether the petitioner is entitled for grant of employment in view of the land of the petitioner which is acquired by the Western Coalfield Limited (WCL).

3. Admittedly, the employment was denied by the WCL on the ground that respondent Nos. 3 to 5 have not given no objection. This petition was initially opposed on the ground that respondent Nos. 3 to 5 was not party to this petition. After such objection, respondent Nos. 3 to 5 were made party to the petition.

4. On receipt of notice, respondent Nos. 3 to 5 appeared before this Court and filed reply objecting the petition on various grounds.

5. However, learned counsel for petitioner has placed heavy reliance upon the agreement entered between the petitioner and respondent Nos. 3 to 5, before the Court of learned Jt. Civil Judge Junior Division, Umrer, in Regular Civil Suit No. 24/2010 (Smt. Kamlabai Vs. Manik and Others).

6. The agreement dated 23.02.2015 supports the case of the petitioner that the land Survey Nos. 172 and 173 were given in the share of the petitioner, on acquisition of which the petitioner is claiming employment.

7. It is to be noted as pointed out by learned counsel for WCL that Notification for acquisition was issued in the year 2009 and the date of vesting of land is 11.08.2012 i.e much prior to the date of agreement i.e. 23.02.2015. It is thus argued that once the WCL became the owner of the land in question on vesting of the land, subsequent transfer of title in between petitioner and respondent Nos. 3 to 5 is not permissible. Therefore, such agreement cannot be relied upon or to consider to decide entitlement of the petitioner for employment.

8. The petitioner is not disputing the fact that the land in question was vested with WCL on 11.08.2012. Petitioner is also not disputing the date of agreement i.e. 23.02.2015. In that view of the matter, as the land was vested prior to the agreement, this agreement will not come to rescue the petitioner to claim employment without no objections of the respondent Nos. 3 to 5.

In that view of the matter, we do not find any merit in the present petition. Accordingly, it is dismissed.

(RAJNISH R. VYAS, J)

(ANIL S. KILOR, J)