



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

WRIT PETITION NO. 6365 OF 2022

Sunil s/o Tulshiram Bhujade
age : 41 years, Occ : Unemployed
R/o Village Kotodi, Taluka Saoner,
District Nagpur

} .. **Petitioner**

Versus

- 1) M/s. Western Coalfield Ltd.,
through its General Manager,
Having Office at Coal Estate,
Civil Lines, Nagpur
- 2) Union of India,
through its Secretary for
Ministry of Coal,
Shastri Bhawan, New Delhi 110 001

} .. **Respondents**

Mr. Subhash Kalbande, Advocate for petitioner.
Ms. Preeti Rane, Advocate for respondent No.1.
Mr. C.J.Dhumne, Advocate for respondent No.2.

CORAM : AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.

DATED : **FEBRUARY 11, 2025**

ORAL JUDGMENT (Per : Avinash G. Gharote, J.)

Heard. **Rule.** Rule made returnable forthwith. Ms.Rane,
learned counsel waives notice for respondent No.1 and Mr.Dhumne,
learned counsel waives notice for respondent No.2.

(2) The only relief claimed in the petition is, the consideration of the petitioner whose land bearing Survey No.30, situated at village Kotodi, Taluka Savoner, District Nagpur was acquired by respondent No.1, be considered for grant of employment in terms of R and R Policy 2012 of the respondent No.1.

(3) In view of the judgment in R.C.S.No.34/2019 ***Sunil Tulshiram Bhujade vs. Manoram Lambase and another*** decided on 19/01/2021 (page 24) and the Award 28/10/2021 passed by the Special Tribunal constituted under Section 14(2) of the Coal Bearing Areas and (Acquisition and Development) Act, 1957, it can no longer be in dispute that the petitioner is the owner of the land bearing Survey No.30 admeasuring 0.28 HR. Para 16 of the petition, specifically indicates employment being granted to one Amol Kailash Bhujade owner of Survey No.46 admeasuring 0.08 HR and Gajanan Haribhau Bhujade owner of Survey No.28 admeasuring 0.27 HR, this position has not been disputed by the respondent No.1, which is indicated from its reply (para 19 page 38).

(4) We therefore, do not see any reason, since there is no dispute regarding the ownership of land bearing Survey No.30 by the petitioner, as indicated above, as to why the claim of the petitioner for grant of employment ought not to be considered by the respondent

No.1 in terms of the R and R Policy 2012, since claims of persons similarly situated have already been considered.

(5) We therefore, dispose of the petition by directing the respondent No.1 to consider the claim of the petitioner for grant of employment, in terms of R and R Policy 2012, if he fulfills the eligibility criteria for grant of employment. The same shall be done within a period of four weeks from today. No costs.

Rule is made absolute in the above terms.

[ABHAY J. MANTRI, J.]

[AVINASH G. GHAROTE, J.]

KOLHE