



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

WRIT PETITION NO. 4202 of 2023

Kailash Kothiram Bhusari vs. Union of India, Ministry of Coal, New Delhi and ors.

With

WRIT PETITION NO. 4211 of 2023

Omprakash Kothiram Bhusari vs. Union of India, Ministry of Coal, New Delhi and ors

With

WRIT PETITION NO. 4210 of 2023

Sachidanand Datturam Bhusari vs. Union of India, Ministry of Coal, New Delhi and ors

Mr. R. M. Sharma, Advocate for petitioner in all WPs.

Mr. V. A. Bramhe, Advocate for respondent no. 1 in all WPs.

Mr. Pushkar Ghare, Advocate for respondent no.3 in all WPs..

Mr. A. S. Jain, Advocate for respondent nos. 5 and 6 in all WPs..

Mr. V. G. Bhamburkar, Advocate for respondent nos. 8 to 10 in all WPs..

CORAM :- ANIL S. KILOR and RAJNISH R. VYAS, JJ.

DATE :- 10th DECEMBER, 2025

1. A limited grievance of the petitioner is that the respondent/WCL has denied employment as per the policy of Coal India Limited (CIL) Rehabilitation and Resettlement, on the ground that a suit between the petitioner and the respondent No.5 is pending for partition.

2. The learned counsel for the respondent/WCL is not disputing the fact that the sole impediment for denying the employment is the ongoing partition suit between the petitioner and respondent No.5.

3. Thereupon, the learned counsel for the petitioner makes a statement that the petitioner would file an undertaking that if the employment is granted to the petitioner, the same shall be subject to final result of the said suit. He further submits that the petitioner would undertake not to claim any equity in the event the employment is granted and if he fails in the suit.

4. In that view of the matter, since there is no other ground or impediment in granting employment to the petitioner except pendency

of the suit, we are of the opinion that the present writ petition can be disposed of by accepting undertaking of the petitioner.

5. Accordingly, the writ petition is disposed of with direction to the respondent/WCL to grant employment to the petitioner, if he is eligible as per the policy of the CIL Rehabilitation and Resettlement, subject to submission of undertaking by the petitioner that such employment would be subject to final result of the suit and he will not claim any equity in the event the employment is granted if he fails in the suit.

No order as to costs.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

Andurkar.