



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

WRIT PETITION NO. 3390 OF 2024

(Krishna S/o Damodar Landge
Vs.

Western Coal Fields Limited, Thr. its Chairman-cum-Managing Director,
Coal Estate, Civil Lines Nagpur & Ors.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. P.D. Meghe, Advocate for the Petitioner.
Mr. Rohan Chandurkar, Advocate for the Respondents.

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

DATED : 18th MARCH, 2025

1. Heard Mr. Meghe, learned Counsel for the Petitioner and Mr. Chandurkar, learned Counsel for the Respondents.
2. The Petitioner claims interest on the monetary compensation awarded to him in lieu of employment for the period 2012 when the Policy came into force till 04.03.2017, on which date, he has received the said compensation.
3. Though Mr. Chandurkar, learned Counsel for the Respondents, opposes however, we find that the R & R Policy of 2012, has been made applicable to persons whose lands have been acquired earlier in point of time, on account of which, it cannot be disputed that the Petitioner would be

entitled for compensation in lieu of employment under the R & R Policy 2012. The only question which is to be considered, is the claim for interest with effect from 2012 when the Policy was brought into force till 04.03.2017, the date when the compensation was received.

4. Mr. Meghe, learned Counsel for the Petitioner, submits that since the Policy envisaged grant of monetary compensation in lieu of employment, the Petitioner was entitled to such compensation from the date of the Policy, and therefore, grant of compensation to the Petitioner on 04.03.2017, makes the Petitioner entitled for interest.

5. In our considered opinion, the submissions cannot be sustained for the reason, that clause 8.1 (C) of the R & R Policy 2012, which provides for monetary compensation in lieu of employment, sub clause 2 thereof provides for the land owners to exercise the option, of either to opt for employment or to forego the employment and opt for monetary compensation. The entitlement therefore to have monetary compensation, would stem, from the application of the land owners, exercising the option and not otherwise.

6. In this case, it is only on 25.08.2015 the Petitioner had made an application exercising its option in terms of the aforesaid clause and received the compensation on 04.03.2017, in view of which, the Petitioner would not be entitled to any interest prior to 25.08.2015. We, therefore, **dispose** off the Petition by directing the Respondents to pay

the interest at the rate of 5% per annum, on the amount of monetary compensation in lieu of employment granted to the Petitioner, from 25.08.2015 to 04.03.2017. The same shall be calculated and paid to the Petitioner within a period of four weeks from today.

7. Pending application/s if any, shall stand disposed of accordingly.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

SD. Bhimte