



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

WRIT PETITION NO. 4767 OF 2024

(Babarao s/o Kavduji Thakare

Vs.

The Western Coalfields Limited, Thr. its Managing Director, Nagpur &
Ors.)

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

Court's or Judge's orders

Mr. O.D. Kakde, Advocate for the Petitioner.
Mr. N.G. Moharir, Advocate for the Respondent Nos.1 & 2.
Mr. A.M. Joshi, AGP for the Respondent No.3/State.
Mr. M.N. Marshettiwar, Advocate for the Respondent No.4.

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

DATED : 24th FEBRUARY, 2025

Heard.

2. The only grievance is that the Petitioner and persons similarly situated to him at Village Kurli, Tahsil Wani, District Yavatmal are not being provided the facilities which are required to be provided under the provisions of Coal Bearing Areas (Acquisition and Development) Act, 1957 and the Rehabilitation and Resettlement Policy 2012.

3. It is not disputed by Mr. Moharir, learned Counsel for the Respondent Nos.1 and 2, that in terms of the aforesaid Act and Policy, the residents of Village Mungoli, who were the oustees and are to be rehabilitated at Village Kurli are entitled

for the facilities as indicated therein. He submits, that the drainage, electrification work at Kurli is almost complete, the road and water supply work has already been allotted. The other facilities as indicated in page 220 at serial Nos.2 to 14 would be provided by the Respondent Nos.1 and 2 within a period of 24 months from today.

4. Accepting which statement, the Petition is **disposed off** in terms thereof.

5. It is also made clear, that in view of the R & R Policy 2012 and the obligation of the Respondent Nos.1 and 2, to provide alternate accommodation to the oustees of Village Mungoli, from where the Petitioner and similarly placed persons like him are to be rehabilitated, till such time they are handed over the possession of various units at Village Kurli, they shall not be displaced from the present place of residence at Village Mungoli. This would not apply to persons who have opted for monetary compensation and have received the amount.

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

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)