CGHC010005622026 2026:CGHC:45407-DB

NAFR

BABLU RAJENDRA BHANARKAR
Digitally signed by BABLU RAJENDRA BHANARKAR
Date: 2026.10.28 10:38:30 +0530

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 718 of 2026

1 - Union Of India Through- General Manager, South East Central Railway Bilaspur (CG) 482004.

2 - The Deputy Chief Personal Officer (Construction), South East Central Railway District- Bilaspur (CG) 495001.

3 - The Deputy Chief Personal Officer (Construction), South East Central Railway District- Nagpur (MH) – 440001.

4 - Deputy Chief Engineer (Construction), South East Central Railway Nainpur District- Mandla (MP) 306104.

... Petitioners

versus

1 - Bharatlal Sanodiya S/o Late Shri Deenadayal Sanodiya Aged About 46 Years Occupation-Unemployed R/o Village- Pipardahi Post Pipardahi P.S. Lakhanwada Tehsil Seoni And District- Seoni (M.P.) 480661.

2 – Collector, Seoni District- Seoni (MP) 480661.

3 - Sub-Divisional Officer (R)/Land Acquisition Officer, Seoni, District Seoni (MP) 480661.

... Respondents

For Petitioners	:	Mr.Ramakant Mishra, Deputy Solicitor General
For Respondent	:	None

Hon'ble Shri Krushna Ram Mohapatra, Chief Justice

Hon'ble Shri Santosh Sharma, Judge

Order on Board

***Per Krushna Ram Mohapatra*, Chief Justice**

27.10.2026

1. Heard Mr.Ramakant Mishra, learned Deputy Solicitor General for the petitioners/Union of India.

2. The matter has come up for consideration on admission.

3. This writ petition has been filed assailing the order dated 12.08.2025 passed by the Central Administrative Tribunal, Jabalpur Bench, Jabalpur (for brevity “the Tribunal”) in O.A.No.200/315/2024, wherein learned Tribunal held that the case of the petitioner therein (respondent No.1 herein) be reconsidered for employment assistance. It is also observed therein that if the respondent No.1 is otherwise found eligible, he should be issued with necessary orders in that regard within a period of three months from the date of receipt of the said order.

4. Mr. Mishra, learned Deputy Solicitor General for the petitioners/Union of India submits that along with present respondent No.1, several other land losers filed different original applications seeking for employment assistance as their land was acquired for a Railway project. At the relevant time, the policy dated 16.07.2010 was in force which provided employment assistance to the land losers. Subsequently, after coming into force of Right to Fair Compensation and Transparency in Land

Acquisition, Rehabilitation and Resettlement Act 2013 (for brevity “2013 Act”), the policy was changed and the policy dated 11.11.2019 was put in place.

5. It is his submission that the case of the respondent should have been considered under the policy dated 11.11.2019 and not under the policy dated 16.07.2010. Learned Tribunal failed to appreciate the same and recorded that the policy dated 16.07.2010 would be applicable to the case of respondent No.1 and directed for reconsideration of his case for employment assistance. It is his further submission that at the time of consideration of the case of respondent No.1, the policy dated 11.11.2019 was in force superseding the earlier policy dated 16.07.2010. Thus, the case of the respondent could not be considered under the policy dated 16.07.2010. He further submitted that under the policy dated 11.11.2019 no employment assistance is provided and only lumpsum cash compensation is provided, which the Railway is prepared to release in favour of the respondent and similarly situated other land losers. He therefore prays for setting aside the impugned order passed by the Tribunal.

6. Taking note of the submissions made by learned Deputy Solicitor General and on perusal of the record, more particularly, the impugned order as well as connected documents, it appears that at the time of acquisition of the land of the respondent, the policy dated 16.07.2010 was in force. Subsequently, after coming into

force of the 2013 Act, the policy dated 11.11.2019 was floated superseding the earlier policy dated 16.07.2010. Para 5 of the policy dated 11.11.2019 specifically states that the policy would be applicable from the date of issuance of such letter. Thus, the policy dated 11.11.2019 would only be applicable on and from 11.11.2019 and not before that. On the other hand, when the land of respondent No.1 was acquired, the policy dated 16.07.2010 was in force. In the said policy, employment assistance was provided. As such, the case of respondent No.1 should be considered under the policy dated 16.07.2010 and cannot be considered under the policy dated 11.11.2019, which had not seen the light of the day, when the land of respondent No.1 was acquired.

7. The Tribunal while adjudicating the matter relied upon the earlier orders passed by the said Bench as well as the order dated 23.09.2022 passed by the co-ordinate Bench of this Court in ***WPS No.5804/2022*** (***Union of India Through The General Manager, Sec Railway, Bilaspur and others v. Vijay Jaiswal***). In the said order, it is specifically observed as under:-

> *"11. A perusal of the said policy would go to show that irrespective of whether the land acquisition for railway projects was done through the Railways Act, 1989 after declaring it as Special Railway Project or through State Governments, determination of compensation shall be made in accordance with the First, Second and Third Schedules of the Act of 2013 and accordingly, the*

policy of offering appointment in Railways to affected land losers was withdrawn and circulars issued in that regard were superseded.

12. Clause 5 of the policy, however, makes it amply clear that the new policy shall be effective from the date of the issue of the letter. Therefore, there is no manner of doubt that the earlier policy which was withdrawn continued to remain in force till issuance of the notification dated 11.11.2019.

13. In view of the above discussion, the view taken by the CAT cannot be faulted with. Resultantly, we find no merit in this petition and the same is dismissed."

8. On perusal of the said order of the coordinate Bench, it appears that the case of the respondent therein was identical to the case of the respondent No.1 herein. Thus, we have no hesitation to hold that learned Tribunal has committed no error in holding that the policy dated 16.07.2010 would be applicable to the case of the respondent and directing for reconsideration of the case of the respondent. We accordingly affirm the same and direct that the entire exercise shall be completed within the period stipulated in the impugned order and, in the event the respondent is found eligible, necessary orders shall be issued accordingly.

9. In that view of the matter, the writ petition, being devoid of any merits, stands **dismissed**.

Sd/-
(Santosh Sharma)
Judge

Sd/-
(Krushna Ram Mohapatra)
Chief Justice

Bablu