CGHC010185542021 2026:CGHC:45975

RUCHI YADAV Digitally signed by RUCHI YADAV

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3225 of 2021

1 - Savani Bai D/o Late Pakluram Aged About 36 Years R/o Village Raliya, Post Raliya, District Korba, Chhattisgarh.

... Petitioner(s)

versus

1 - South Eastern Coalfields Limited Through Its Chairman Cum - Managing Director, Seepat Road, Vasant Vihar, Thana Sarkanda, District Bilaspur, Chhattisgarh.

2 - The Dy. General Manager (Land Revenue) South Eastern Coalfields Limited Seepat Road, Vasant Vihar, Thana Sarkanda, District Bilaspur, Chhattisgarh.

3 - General Manager Secl, Gevra Area, P.O. Gevra Project, District Korba, Chhattisgarh.

4 - Sub Divisional Officer (Revenue) Katghora Tahsil Katghora, District Korba, Chhattisgarh.

... Respondent(s)

(Cause title taken from CIS Periphery)

For Petitioner(s)	:	Mr. Saurabh Sinha, Advocate
For Respondents No. 1 to 3	:	Mr. Vinod Kumar Deshmukh, Advocate

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

30/10/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

> "10.1 That this Hon'ble Court may kindly be pleased to call for entire record pertaining to the case of petitioner case for kind perusal of this Hon'ble Court.
>
> 10.2 That this Hon'ble Court may kindly be pleased to direct the respondent authority SECL to pay the compensation amount against acquired land of petitioner in accordance with law.
>
> 10.3 Any other relief, which may be deemed, fit by this Hon'ble Court just and proper in the facts and circumstances of the case may also be provided in favour of the petitioner."

2. Learned counsel appearing for the petitioner submits that the petitioner is claiming compensation on account of acquisition of land bearing Khasra Nos. 16/6, 82, 569 and 856, which was the subject matter of Revenue Case No. 19/A-19/2004-05 decided vide order dated 30.07.2005. It is submitted that the petitioner is entitled to receive compensation in respect of the aforesaid acquired land.

3. Learned counsel appearing for respondents No. 1 to 3/SECL opposes the prayer and submits that the land in question does not belong to the petitioner and was allotted as service land to his forefathers, who were working as Kotwars. He further submits that the issue regarding the nature of Kotwari land and the rights of a Kotwar or his successors therein has already been considered and decided by the Full Bench of this Court in WPC No. 1571 of 2020 vide order dated 23.07.2026. It is submitted that a Kotwar or his successors cannot claim any title over such Kotwari/service land. He further submits that the competent authorities have also recorded a finding that the land in question is

Kotwari land, vide letter dated 04.11.2020 and report dated 16.09.2020. It is submitted that the compensation amount has already been deposited in the account of the State Government and, therefore, the petitioner is not entitled to claim the said compensation.

4. Heard learned counsel for the parties and perused the material available on record.

5. From the submissions made by learned counsel for the parties and the material available on record, it is apparent that the petitioner's claim for compensation is founded upon his alleged title over the land in question. However, the land has been recorded as Kotwari/service land and the petitioner has failed to establish any independent title or ownership over the same.

6. In view of the aforesaid position, particularly the nature of the land as Kotwari/service land and the law laid down by the Full Bench of this Court in WPC No. 1571 of 2020, the petitioner cannot claim ownership over the land merely on the basis of succession from his forefathers who were Kotwars. Consequently, the petitioner cannot claim compensation as an owner of the acquired land.

7. Accordingly, the writ petition, being devoid of merit, is hereby **dismissed.**

8. Consequently, all pending interlocutory applications, if any, stand disposed of.

Sd/-

(Amitendra Kishore Prasad)

Judge

Ruchi