



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

WRIT PETITION NO. 2050 OF 2025

PETITIONERS

- : 1. Ghanshyam Bhagwanji Warghane,
Aged - 65 Years, Occupation -
Agriculturist, R/o. Pirawa, Tahsil -
Bhiwapur, District - Nagpur.
2. Khemraj Bhagwanji Warghane, Aged -
63 Years, R/o. Pirawa, Tahsil -
Bhiwapur, District - Nagpur.
3. Hemraj Bhagwanji Warghane,
Aged - 61 Years, Occupation -
Agriculturist, R/o. Pirawa, Tahsil -
Bhiwapur, District - Nagpur.

//VERSUS//

RESPONDENTS

- : 1. Western Coalfields Ltd. a Company
registered under the Companies Act
1956, having its registered office at Coal
Estate, Civil Lines, Nagpur through
Chief Managing Director.
2. General Manager, Western Coalfields
Ltd., Seminary Hills, Nagpur.
3. Area General Manager, Western
Coalfields Ltd. Umred Project, Umred,
Tahsil - Umred, District - Nagpur.

Mr. S.S. Deshpande, Advocate for the Petitioners.

Mr. Nachiket Moharir, Advocate for the Respondents.

CORAM : ANIL S. KILOR AND
RAJ D. WAKODE, JJ.

DATE : 9th JANUARY, 2026.

ORAL JUDGMENT (PER : RAJ D. WAKODE, J.)

Heard Mr. S.S. Deshpande, learned counsel for the petitioners, and Mr. Nachiket Moharir, learned counsel for the respondents.

2. **Rule.** Rule made returnable forthwith. Heard finally with the consent of the parties.

3. The petitioners have approached this Court seeking a direction to the respondents/WCL to release the amount of compensation as per the Rehabilitation and Resettlement Policy of Coal India Limited, 2008 and 2012, towards the package which is in lieu of service, within a stipulated time period.

4. Mr. Nachiket Moharir, learned counsel for the respondents, has filed across the bar a reply dated 9th January 2026, which is taken on record. In paragraph 11 of the said reply, the respondents have stated as follows:

“It is therefore submitted that in view of the pending litigation with respect to land in question, amount of monetary compensation cannot be released in favour of the Petitioners till final decision of the appeal instituted by Ravi Khobragade.”

5. Thus, learned counsel for the respondents/WCL is not disputing the fact that the sole impediment for releasing monetary compensation to the petitioners is the ongoing appeal between the petitioners and Mr. Ravi Khobragade.

6. Thereupon, learned counsel for the petitioners submits that the petitioners would file an undertaking that if monetary compensation is granted to them, the same shall be subject to the final result of the said appeal. He further submits that the petitioners would undertake not to claim any equity in the event the monetary compensation is granted and they fail in the appeal.

7. In that view of the matter, since there is no other ground or impediment in granting monetary compensation to the petitioners except pendency of the appeal, we are of the opinion that the present writ petition can be disposed of by accepting the undertaking of the petitioners. Hence, the following order is passed:

ORDER

- (i) The writ petition is allowed.
- (ii) The respondents/WCL are directed to grant monetary compensation to the petitioners, if they are eligible as per the CIL Rehabilitation and Resettlement Policy, subject to submission of an undertaking by the petitioners that such monetary compensation shall be subject to the final result of R.C.A. No.319/2025 pending before the learned Extra Joint District Judge, Nagpur, and they will not claim any equity in the event the monetary compensation is granted and they fail in the aforesaid appeal.

8. Rule is made absolute in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Vijaykumar