



2026:CGHC:23939



2026:CGHC:23939

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2593 of 2026**

1 - Sonu Bharti W/o Arvind Banjare Aged About 32 Years R/o Village Hardi Bazar, Tehsil Hardi Bazar, District Korba, Chhattisgarh.

... Petitioner(s)**versus**

1 - South Eastern Coalfields Limited Through Chairman-Cum-Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur, District Bilaspur, Chhattisgarh.

2 - Chief General Manager South Eastern Coalfields Limited, Dipka Area, District Korba, Chhattisgarh.

3 - General Manager South Eastern Coalfields Limited, Dipka Area, District Korba, Chhattisgarh.

4 - Nodal Officer/staff Officer (Land And Rehabilitation) South Eastern Coalfields Limited, Dipka Area, District Korba, Chhattisgarh.

5 - Collector District Korba, Chhattisgarh.

... Respondent(s)

For Petitioner(s)	:	Mr. Arvind Shrivastava, Senior Advocate.
-------------------	---	--



For Respondent(s)/SECL	:	Mr. Pankaj Agrawal, Advocate.
For Respondent/State	:	Mr. Soumitra Kesharwani, Panel Lawyer.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

16/06/2026

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

"1. Issue an appropriate writ/order/direction quashing and setting aside the impugned communication/order/letter dated 20.03.2026 (Annexure P/1) issued by the Nodal Officer (L&R), SECL Dipka Area, district Korba (C.G.); and/or

2. Issue an appropriate writ/order/direction, directing the Respondent to grant suitable employment to the Petitioner; and/or

3. Issue an appropriate order, directing the respondent authority to decide the representation dated 08.04.2026 (Annexure P/2 Colly) within a stipulated time frame. and/or

4. Issue an appropriate writ/order/direction directing the Respondents to process, forward and pursue the petitioner's case for necessary D.O.L. recommendation within a fixed time; and/or

Any other relief as deemed fit by this Hon'ble Court."

2. Brief facts of the case, is that, the petitioner is a resident of Village Hardi Bazar, Tehsil Hardi Bazar, District Korba, Chhattisgarh, whose family land bearing Khasra No. 262/3 measuring 0.040 hectare, along with a residential house, was acquired for the SECL Dipka Project. Though compensation for the acquired land



was determined and paid, the petitioner claimed entitlement to rehabilitation/employment benefits under the applicable rehabilitation policy. As the petitioner's representation dated 08.04.2024 was not decided, she approached this Hon'ble Court by filing WPC No. 266 of 2026, which was disposed of on 21.01.2026 granting liberty to submit a fresh representation for consideration in accordance with law. Pursuant thereto, the petitioner submitted a fresh representation dated 18.02.2026; however, the respondent-SECL rejected her claim by communication dated 20.03.2026 on the ground of non-receipt of the D.O.L. recommendation and certain internal administrative requirements. Despite submitting another representation dated 08.04.2026, no effective action was taken, leading to the filing of the present writ petition challenging the impugned communication.

3. Learned counsel for the petitioner submitted that the impugned communication dated 20.03.2026 is arbitrary, non-speaking and contrary to law as it fails to adjudicate the petitioner's entitlement on merits and merely relies upon the non-receipt of the D.O.L. recommendation, which is an internal administrative matter for which the petitioner cannot be made to suffer. It was argued that if such recommendation was necessary, SECL was duty-bound to obtain the same instead of rejecting the claim. Reliance was placed on the judgment dated 27.01.2026 passed in *Ishwarilal Sahu v. State of Chhattisgarh & Ors.* (WPC No. 6013 of 2024), wherein this Court held that the State Rehabilitation Policy



overrides SECL's internal guidelines and that a minimum two-acre requirement cannot be imposed if absent under the applicable State Policy. It was further submitted that the petitioner's claim must be considered under the rehabilitation policy prevailing on the date of acquisition, that the respondents' action violates the petitioner's legitimate expectation as well as Articles 14 and 21 of the Constitution of India, and that the respondents failed to comply with the letter and spirit of the order dated 21.01.2026 passed by this Court by not deciding the petitioner's claim in accordance with the applicable policy and guidelines.

4. On the other hand, learned counsel appearing for the respondent/SECL submits that the matter has already been forwarded to the competent authorities for consideration of the petitioner's claim for grant of employment in accordance with the applicable law. It is further submitted that the matter is presently pending before the State Government, and till date, no recommendation has been received from the competent authority in response to the communication dated 20.03.2026. Learned counsel further submits that immediately upon receipt of the recommendation from the State Government, the respondent/SECL shall take appropriate steps in accordance with law for considering the petitioner's case for appointment. It is also submitted that if, upon receipt of such recommendation, the petitioner is found eligible and otherwise fit in terms thereof, the respondent/SECL shall proceed to extend the benefit of



employment to the petitioner in accordance with the applicable rules and policy.

5. Having heard learned counsel for the parties and perused the material available on record.
6. Considering the facts and circumstances of the case and further considering the fact that, this Court observed that the petitioner's claim for rehabilitation/employment was pending only on account of the non-receipt of the recommendation from the competent State authorities and had not been rejected on merits. Considering the facts and circumstances of the case, and taking note of the submission made on behalf of the respondent-SECL that the matter had already been forwarded to the State Government for the requisite recommendation, this Court directed the respondent-SECL to make all possible endeavours to obtain the said recommendation from the competent authority within the shortest possible time. The Court further observed that upon receipt of the recommendation, the respondent-SECL shall take necessary action in accordance with the applicable law and policy with regard to the petitioner's claim for employment.
7. With this observation and direction, the writ petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Raghu Jat