

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

WRIT PETITION NO.919/2023

Western Coalfields Limited, through its Chairman-cum-Managing  
Director, Nagpur and another

-Vs.-

State of Maharashtra and another

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders      Court's or Judge's Orders.  
or directions and Registrar's orders.  
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Mr. S.P. Dharmadhikari, Senior Advocate with Mr. Pushkar Ghare,  
Advocate for the petitioners.

CORAM: SUNIL B. SHUKRE &  
MRS. VRUSHALI V. JOSHI, JJ.

DATE : 8.2.2023

Heard Mr. Dharmadhikari, learned Senior Advocate for the petitioners. Contention is that Government Resolution dated 22.8.2012 has the effect of conferring upon the State Government overriding powers whereby the Government can also determine the rates of compensation to be awarded to the land owners whose lands have been acquired under the provisions of Coal Bearing Areas (Acquisition and Development) Act, 1957 (for short "Act of 1957") irrespective of issuance of notification Section 4 under the Act of 1957 and irrespective of any agreement having been entered into in terms of the same Act. It is submitted that if this is

permitted, it would open a pandora's box.

2. Issue raised by this petition requires consideration.
3. Issue notice for final disposal at admission stage to the respondents.
4. Mr. Nandesh Deshpande, learned Deputy Solicitor General of India waives notice for respondent No.2.
5. Mr. A.M. Deshpande, learned In-charge Government Pleader waives notice for respondent No.1.
6. Stand over to four weeks.

(MRS. VRUSHALI V. JOSHI, J.)

( SUNIL B SHUKRE J.)