

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 7443 of 2017

Bimal Kumar Verma, son of Bishwamber Nath Verma, resident of village Bishrampur, P.O.-Dakra, P.S.- Khalari, District-Ranchi (Jharkhand).

... ... Petitioner(s)

Versus

1. Central Coalfields Ltd. through its Chairman-cum-Managing Director, having its office at Darbhanga House, Ranchi, PO-G.P.O., PS-Kotwali, District-Ranchi

2. The General Manager (P & IR), Central Coalfields Ltd., having its office at Darbhanga House, Ranchi, PO-GPO, PS-Kotwali, District-Ranchi.

3. The General Manager (L & R), Central Coalfields Ltd., having its office at Darbhanga House, Ranchi, PO-GPO, PS- Kotwali, District - Ranchi

4. The General Manager, Central Coalfields Ltd, NK Area, PO-Dakra, PS-Khalari, District - Ranchi

5. The Staff Officer (P & A), Central Coalfields Ltd, NK Area, Dakra, PO - Dakra, PS- Khalari, District Ranchi

6. The Staff Officer (P & A), Central Coalfields Ltd, Piparwar Area, PO + PS-Piparwar

7. Project Officer, KDH Project, NK Area, Central Coalfields Ltd., PO-Dakra, PS- Khalari, District - Ranchi.

8. Area Medical Officer, Central Coalfields Ltd, Piparwar Area, PO+ PS-Piparwar, District-Ramgarh

... ... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. Uday Prakash, Advocate

Mr. Manoj Kr. Sinha, Advocate

For the Respondent(s) : Mr. A. K. Das, Advocate

Order No. 17 /Dated: 28th January 2026

The instant writ application has been preferred by the petitioner for the following reliefs:

"1(i) For issuance of a writ(s), order(s) and/or direction(s) including a writ of certiorari for quashing the order contained in AMO/PPR/11-859-64 dated 26.11.2011 (Signed on 25.11.2016) as contained in Annexure-7 passed by the Respondent No. 8 wherein the petitioner's appointment as a land loser was rejected on erroneous ground declaring the petitioner as not fit for employment ignoring the medical certificate of the RIIMS, Ranchi wherein the petitioner was declared fit.

(ii) For issuance of a writ(s), order(s) and/or direction(s) including a writ of mandamus directing upon the respondents to give appointment to the petitioner as a land loser in view of letter of appointment (Annexure -2) and Employment Letter

(Annexure-3) issued by the Respondent CCL in favour of the petitioner.

AND/OR

(iii) For the issuance of such other writ, order or direction as may appear just and proper for doing conscionable justice to the petitioner and in the facts and circumstances of the case.”

2. A counter affidavit has been filed by the respondents and it has been stated that the petitioner was offered employment in the Company vide letter dated 17.08.2011 under Land Loser Scheme subject to medical examination by the Medical Officer of the Company and the Medical Officer vide its report dated 17.09.2011 declared the petitioner unfit for employment.

Thereafter, the petitioner reported to the Area Medical Officer, Piparwar Area that he was asymptomatic till date since the date of operation at AIIMS, for which he has also submitted the OPD follow-up documents of AIIMS and in that premise the Area Medical Officer, Piparwar Area vide letter dated 03.10.2011 referred the matter to C.M.S. I/C, Gandhinagar, Ranchi.

3. The record further reveals that finally the Super-specialist (Cardiologist) opinion was obtained from Dr. Hemant Narayan, RIMS, Ranchi who also held that petitioner was not fit for employment which is evident from letter dated 26.11.2011 of Area Medical Officer addressed to Staff Officer (P&A), Piparwar Area and consequently the petitioner's case was refused.

It further transpires that the case of the petitioner was considered at all stages and even the opinion of the Super-specialist (Cardiologist) from RIMS, Ranchi was obtained but the petitioner was declared not fit for employment.

4. Since, the Petitioner was found medically unfit, this Court is of the considered view that he is not entitled to any relief.

5. As a matter of fact, in “*Sanjeev Kumar v. State of Haryana & Ors.*”¹ the Hon’ble Apex Court has held that there is no provision for grant

¹ 2025 Supreme (SC) 1909

of job in lieu of the acquired land. The policy decision if any of giving job in lieu of the acquired land cannot prevail over the statutory provisions. For brevity paragraph nos. 2 and 3 of the aforesaid judgment is extracted hereinbelow:

“2. The land of the family of the petitioner is said to have been acquired in the year 1998 under the provisions of Land Acquisition Act, 1894 ('the Act'). The family of the petitioner was awarded compensation and the same was also paid. The petitioner who was not even born at the time when the land was acquired, in the year 2025, applied for a job in lieu of the acquired land. The request was rejected and the petition filed by the petitioner seeking job in lieu of the land was also dismissed.

3. Under the provisions of the Act, on the land being acquired, the petitioner or his family is entitled only to the compensation which has already been paid. There is no provision for grant of job in lieu of the acquired land. The policy decision, if any, of giving job in lieu of the acquired land cannot prevail over the statutory provisions and as such, we find no error or illegality on the part of the authorities and the High Court in dismissing the claim of the petition for job, which was filed after more than 18 years of the framing of the policy.”

6. During course of argument, learned counsel for the petitioner fairly submits that the petitioner may be granted liberty to approach the concerned respondent so that apart from job if there is any other policy in lieu of job as per R and R Policy then the same may be extended to him.

7. On this issue there is no objection on behalf of the respondents.

8. Having regard to the aforesaid facts and circumstances of the case, no relief can be granted to the petitioner so far as prayer made in the instant writ application is concerned; however, the petitioner may approach the concerned respondent for other benefit in lieu of employment since he is medically unfit and if there is any other benefit in lieu of employment as per R and R Policy of the respondent-coal company, then the same shall be extended to this petitioner.

9. Accordingly, the instant writ application stands disposed of.

(Deepak Roshan, J.)

28th January 2026

Amit

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