

ITEM NO.6

COURT NO.8

SECTION IV-C

**S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S**

Petition(s) for Special Leave to Appeal (C) No.4978/2026

**[Arising out of impugned final judgment and order dated 06-01-2026
in CR No. 788/2023 passed by the High Court of Madhya Pradesh
Principal Seat at Jabalpur]**

RAMSAKHI DEVI

Petitioner(s)

VERSUS

ATUL KUMAR PATHAK & ORS.

Respondent(s)

[FOR ADMISSION

IA No. 35269/2026 - EXEMPTION FROM FILING O.T.]

Date : 10-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL

HON'BLE MR. JUSTICE S.V.N. BHATTI

**For Petitioner(s) :Mr. Vikas Upadhyay, AOR
Mr. Brahmendra Pathak, Adv.
Ms. Ankita Kashyap, Adv.
Mr. Ranveer Singh, Adv.
Mr. Shiva Narang, Adv.**

**For Respondent(s) :Mr. Kailash Prashad Pandey, AOR
Mr. Girish Chand Tyagi, Adv.
Mr. Jagdish Chandra Verma, Adv.
Mr. Anurag Tyagi, Adv.
Mr. Hemant Singh, Adv.**

**UPON hearing the counsel the Court made the following
O R D E R**

Heard learned counsel for the parties.

**The petitioner has filed this suit claiming
one-fourth share in her father's land ignoring a
sale deed.**

The suit was opposed and on an application

under Order 7 Rule 11, the High Court rejected the plaint as the suit was said to be barred in view of the provisions of the Coal Bearing Areas (Acquisition and Development) Act, 1957.

There is no dispute to the fact that the land in question has been acquired under the aforesaid Act and the award has already been pronounced, though the compensation has not been disbursed.

In view of the above fact situation, read with Section 14(6) and Section 17 of the Act which permits adjudication of entitlement and apportionment of compensation by the Tribunal and for the deposit of the compensation with the Court, till such dispute is adjudicated, we grant liberty to the petitioner to raise such an objection claiming her share in the property/compensation before the Special Land Acquisition Officer, who after processing the matter, if necessary, may refer the matter under Section 14(6) to the Tribunal for adjudication.

It is further provided that in the event such an objection or representation is filed within two weeks from today, the SLO shall not disburse the compensation and follow the provision of Section 17 of the Act till the Tribunal decides the objections.

In view of above, the special leave petition stands disposed of.

Pending application(s), if any, shall also stand disposed of.

(KRITIKA TIWARI)
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)
COURT MASTER (NSH)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.4978/2026

[Arising out of impugned final judgment and order dated 06-01-2026 in CR No. 788/2023 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

RAMSAKHI DEVI

Petitioner(s)

VERSUS

ATUL KUMAR PATHAK & ORS.

Respondent(s)

[FOR ADMISSION

IA No. 35269/2026 - EXEMPTION FROM FILING O.T.]

Date : 10-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) :Mr. Vikas Upadhyay, AOR
Mr. Brahmendra Pathak, Adv.
Ms. Ankita Kashyap, Adv.
Mr. Ranveer Singh, Adv.
Mr. Shiva Narang, Adv.

For Respondent(s) :Mr. Kailash Prashad Pandey, AOR
Mr. Girish Chand Tyagi, Adv.
Mr. Jagdish Chandra Verma, Adv.
Mr. Anurag Tyagi, Adv.
Mr. Hemant Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the parties.

The petitioner has filed this suit claiming one-fourth share in her father's land ignoring a sale deed.

The suit was opposed and on an application under Order 7 Rule 13, the High Court rejected the

plaint as the suit was said to be barred in view of the provisions of the Coal Bearing Areas (Acquisition and Development) Act, 1957.

There is no dispute to the fact that the land in question has been acquired under the aforesaid Act and the award has already been pronounced, though the compensation has not been disbursed.

In view of the above fact situation, read with Section 14(6) and Section 17 of the Act which permits adjudication of entitlement and apportionment of compensation by the Tribunal and for the deposit of the compensation with the Court, till such dispute is adjudicated, we grant liberty to the petitioner to raise such an objection claiming her share in the property/compensation before the Special Land Acquisition Officer, who after processing the matter, if necessary, may refer the matter under Section 14(6) to the Tribunal for adjudication.

It is further provided that in the event such an objection or representation is filed within two weeks from today, the SLO shall not disburse the compensation and follow the provision of Section 17 of the Act till the Tribunal decides the objections.

In view of above, the special leave petition stands disposed of.

Pending application(s), if any, shall also stand disposed of.

(KRITIKA TIWARI)
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)
COURT MASTER (NSH)