

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.283-284 OF 2015

A.P.GENCO REP. BY CHAIRMAN & MANAGING
DIRECTOR & ANR.

...Appellant(s)

Vs.

B. BIKSHAM & ORS.

...Respondent(s)

O R D E R

1. The appellants have challenged the judgment dated 10th August, 2009 passed by the High Court in Writ Appeal Nos.160 of 2003 and also the order dated 4th August, 2010 in REV.WAMP Sr.No.14973/2009 in WA No.160/2003.

2. Briefly the facts as available on record are that the land of the predecessor in interest of the respondents was acquired way back, from 1963 to 1968 for construction of a thermal power station by the appellant-Corporation. As per the policy of the Government existing at that time, the oustees of the land, which is acquired for construction of the power plant could apply for grant of employment in the Corporation. However, the respondents never applied for the same within the time permitted as per the policy. They, for the first time filed Writ Petition before the High Court in the year 1992 which was dismissed by the learned Single Bench on 8th August, 2002 considering the same to be highly

belated. However, the Division Bench accepted the claim of the respondents and directed for grant of employment to them as oustees of the land acquired for construction of thermal plant.

3. The arguments raised by the learned senior counsel for the appellants is that as per the policy of the State, the oustees had to apply for employment within a period of one year from the date of dispossession on account of acquisition of land. In the case in hand, the respondents who claim themselves to be sons/grandsons of the original owner of the land had approached the Court more than two decades thereafter. On account of delay, the Single Bench had rightly declined relief to them. The judgment of the Division Bench is erroneous and deserves to be set aside.

4. She further submitted that at present most of the respondents who were seeking employment, have crossed the age of 60 years and some are close to that, if their age is considered in terms of what is mentioned in the Memo of Parties.

5. Learned counsel for the respondents submitted that this Court should take a sympathetic view in the matter. The land of the predecessor in interest of the respondents was taken. Employment has been given to a number of other oustees or their family members whereas the same has been declined to the respondents. The order passed by the Division Bench of the High Court should not be interfered with.

6. Heard the learned counsel for the parties. In our opinion, there was huge delay in filing the Writ Petition to claim employment as an oustee of the land which was acquired for the purpose of construction of a thermal power station. The land of the predecessor in interest of the respondents was acquired between 1963 to 1968. A Writ Petition, for the first time seeking the relief of employment, was filed in 1992. Further, most of the respondents have already crossed the age of 60 years, while some are close to that.

7. Considering the aforesaid facts, in our view, the impugned order passed by the High Court cannot be legally sustained. No direction can be given for giving employment to the respondents at this stage.

8. The present appeals are allowed. The impugned orders passed by the High Court are set aside.

.....J.
(RAJESH BINDAL)

.....J.
(MANMOHAN)

NEW DELHI;
July 31, 2025

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 283-284/2015

A.P.GENCO REP. BY CHAIRMAN & MANAGING DIRECTOR & ANR. Appellant(s)

VERSUS

B. BIKSHAM & ORS.

Respondent(s)

Date : 31-07-2025 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE MANMOHAN

For Appellant(s) :

Ms. Anitha Shenoy, Sr. Adv.
Mr. Sravan Kumar Karanam, AOR
Ms. Sadhana Madhavan, Adv.
Ms. M. Harshini, Adv.

For Respondent(s) :

Mr. V. Sridhar Reddy, Adv. (Through V.C.)
Mr. V. N. Raghupathy, AOR

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

The appeals are allowed in terms of the signed
order.

Pending application, if any, also stands disposed
of.

(ANITA MALHOTRA)
AR-CUM-PS

(AKSHAY KUMAR BHORIA)
COURT MASTER

(Signed order is placed on the file.)