
(2016) 01 JH CK 0013
In the Jharkhand High Court
Case No : WP(S) No. 597 of 2015

Sambhu Saran Pandey

APPELLANT

Vs

Bharat Coking Coal Limited and Others

RESPONDENT

Date of Decision : 04-01-2016

Acts Referred:

Citation : (2016) 1 JBCJ 495 : (2016) 1 JLJR 673

Hon'ble Judges : Aparesh Kumar Singh, J.

Bench : Single Bench

Advocate : Kailash Prasad Deo, for the Appellant; Anoop Kumar Mehta, for the Respondent

Final Decision : Dismissed

Judgement

Aparesh Kumar Singh, J.—1. Heard learned counsel for the parties. Petitioner is seeking appointment as a land-looser from the Respondent-B.C.C.L. by stating that on Khata No. 19, Plot No. 463 and area 0.04 acre of Mauza-Nudkhurkee, Dhanbad was acquired.

2. There are no documents to substantiate such acquisition in the nature of proceeding under the Land Acquisition Act and/or any Award to that effect, except the document purportedly prepared by Anchal Amin, Baghmara which also shows that 0.04 acres of land under the said Mauza having said plot number was reported to have been used by B.C.C.L. for filling up stones (part of Annexure-1 Series). Petitioner has relied upon Annexure-2 which is an order dated 17th November, 2004 in relation to regularization of trainee in Daily Rated Category-1 of certain persons whom petitioner alleges are beneficiaries of appointment as land-looser. The said document also does not substantiate the such contention and moreover it does not reveal whether these appointments have been made after loss of defined area of land as per the consistent policy of Resettlement and Rehabilitation followed in the Respondent-Coal Company.

3. Counsel for the respondent No. 3 also submits that the appointment to

landlooser under the policy of Resettlement and Rehabilitation of Respondent Company is given in cases of acquisition of land to a minimum of 2 acres. By that yardstick also petitioner does not make out a case as even if his assertion is treated to be correct, only 0.04 acres of land has reportedly been used by BCCL.

4. In view of the aforesaid conspicuous facts noticed, petitioner has failed to make out any case for issuance of direction as sought for. Accordingly, the writ petition is dismissed.