



2026:CGHC:19507

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 110 of 2026

1. South Eastern Coalfields Limited (Through Director Personnel)
Registered Office Post Box No. 60, Bilaspur Chhattisgarh District
Bilaspur Chhattisgarh

2. General Manager South Eastern Coalfields Limited, Raigarh Area,
Raigarh, Chhattisgarh, District Raigarh Chhattisgarh

... Petitioner(s)

versus

1. Ishwarilal Sahu S/o Shri Varun Singh Sahu Aged About 41 Years R/o
Village Lat, Tahsil Dharamjaigarh, District Raigarh Chhattisgarh

2. State Of Chhattisgarh (Through Director Personnel) Registered Office
Post Box No. 60, Bilaspur Chhattisgarh

3. Sub Divisional Officer (Revenue) Dharamjaigarh, District Raigarh
Chhattisgarh

4. Collector District Raigarh Chhattisgarh

... Respondent(s)

For Petitioner : Mr. Vaibhav Shukla, Advocate

For Respondent No. 1 : Ms. Nupur Trivedi, Advocate

For Respondent / State : Mr. Jai Prakash Tiwari, P.L.

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

28/04/2026

1. The review petitioner (SECL) (respondent in WPC) seeks review
of the order dated 27.01.2026 passed in WPC No. 6013/ 2024.

2. The writ petition bearing WPC No. 6013 of 2024 was preferred

by the writ petitioner (respondent No. 1 herein), seeking, inter alia, quashment of the communication/order dated 06.01.2020 issued by the South Eastern Coalfields Limited (SECL), a direction to the respondent-SECL to grant suitable employment to the petitioner, further direction for payment of adequate compensation on account of delay in grant of employment.

3. The said petition was disposed off by the court vide order dated 27.01.2026, which is sought to be reviewed, in the following terms :

“ 25. The petitioners' land formed part of the acquisition for SECL pursuant to proceedings initiated in 2009, culminating in an award dated 05.11.2009, under which surface rights were granted and rehabilitation benefits, including employment, were assured to all affected landowners. The land in question was acquired on the specific assurance of providing employment to the land losers. However, subsequently, Coal India Limited (CIL) introduced a new scheme and, on that basis, denied employment to the affected persons. Such action is arbitrary, unreasonable, and violative of the principles of fairness and legitimate expectation, and therefore cannot be sustained in law.

26. The acquisition was governed by the C.G. Rehabilitation Policy. 2007, which was applicable at

the relevant time and mandates employment to each major member of the displaced family. No valid agreement or consent overrides the statutory policy, and any reliance on CIL policy in preference to the State policy is legally untenable. Despite repeated applications and directions of this Hon'ble Court to consider the petitioners' claim in accordance with law, SECL has unlawfully rejected the claim.

27. Right of the land losers to get employment as per the rehabilitation policy is extremely important right and that has to be considered in accordance with law and in accordance with the policy in force on the date of acquisition of their land and subsequent change in guideline of CIL will not take away their accrued right, if any, that has accrued to them by acquisition of their lands. Thus, the benefit of rehabilitation and employment to land oustee is logical corollary of Article 21 of the Constitution of India and denial of employment is violative of Articles 14 and 15 of the Constitution of India as well as Article 21.

28. Accordingly, the impugned order dated 06.01.2020 is hereby set aside.

20. Consequently, the petitioners are entitled for

consideration of rehabilitation as per the State Rehabilitation Policy prevalent on the date of acquisition of their land within 45 days from the date of production of a copy of this order in consequence, the writ petitions are allowed in part only qua the rehabilitation.”

4. (a) Learned counsel for the review petitioners submits that the judgment under review suffers from errors apparent on the face of the record, as several material facts, binding precedents and relevant policy provisions were not taken into consideration. It is submitted that the Division Bench judgment of this Court in **Poonam Sethi vs. Union of India & Others**, relating to artificial subdivision of land after commencement of acquisition proceedings, was directly applicable to the facts of the present case, wherein Khasra No. 603 admeasuring 0.72 acres was allegedly subdivided into six parts in the year 2008 after the acquisition process had already commenced, with a view to multiply claims for employment.

(b) It is further submitted that reliance was also placed on the judgment of the Hon'ble Supreme Court in **Assistant General Manager, SBI & Anr. vs. Tanya Energy Enterprises**, wherein it has been held that even if reasons assigned in an administrative order are found insufficient, the same may yet be sustained if other valid grounds exist on record. According to learned counsel, the order dated 06.01.2020 could have been sustained on several independent grounds, namely exhaustion of family

employment quota, non-fulfilment of the three-year ownership condition, mala fide subdivision of land, binding consent documents, Lok Adalat award and the condition of one employment for two acres of land.

(c) Learned counsel further submits that while directing consideration of the claim under the Chhattisgarh Model Rehabilitation Policy, 2007, the judgment under review failed to notice that the said policy itself required ownership of land for at least three years prior to acquisition, whereas mutation in favour of the petitioner's father was recorded only in the year 2008. It is also contended that the award dated 05.11.2009 expressly incorporated the Coal India Limited Policy, 2008 prescribing one employment per two acres of land, and therefore the said condition could not have been disregarded as a mere internal guideline.

(d) It is next submitted that the petitioners' family had accepted compensation under the award, secured employment in favour of one family member, and executed consent agreement/MOU, and therefore could not subsequently challenge the same framework. Reliance is also placed on the Division Bench judgment in Union of India & Others vs. Malejram & Others to contend that the object of such schemes is to grant one employment to an affected family and not multiple employments on the basis of separate khasra numbers or fragmented holdings.

(f) Lastly, it is submitted that in the earlier round of litigation this Court had directed consideration of the petitioner's claim in accordance with the rehabilitation policy and the award, and pursuant thereto the order dated 06.01.2020 was passed. It is argued that the same has been set aside without considering that it was passed in compliance with the earlier judicial direction. It is also urged that all similarly situated land oustees were considered under the Coal India Policy, 2002 and no separate yardstick could have been applied to the present petitioner.

5. On the other hand, learned counsel for respondent No.1 (writ petitioner) submits that the present review petition is not maintainable, as the petitioners seek rehearing of the writ petition on merits under the guise of review, which is impermissible in law. It is contended that no error apparent on the face of the record has been pointed out in the judgment sought to be reviewed and the grounds raised are merely a repetition of submissions already advanced and considered earlier. He would further submit that the scope of review jurisdiction is very limited and does not permit the Court to sit in appeal over its own judgment or to reconsider issues already decided. Unless there is a patent and self-evident error apparent on the face of the record, review cannot be entertained. On these grounds, it is prayed that the review petition deserves to be dismissed in limine.

6. I have heard learned counsel for the parties and perused the

record.

7. At the outset, it is to be noticed that in the judgment dated 27.01.2026, this Court had specifically considered the nature of acquisition proceedings and recorded a clear finding that the earlier acquisition initiated under the Land Acquisition Act, 1894 and the subsequent proceedings initiated in the year 2009 under Section 247 of the Chhattisgarh Land Revenue Code, 1959 were distinct proceedings relating to different parcels of land and arising out of separate causes of action. This Court had further held that the claim of the writ petitioners for employment arose from the subsequent acquisition of surface rights pursuant to award dated 05.11.2009 and, therefore, the same could not be rejected merely on the ground that another family member had earlier been granted employment in connection with a separate acquisition.
8. The judgment under review had also taken note of the fact that the award dated 05.11.2009 was passed in proceedings concerning acquisition for South Eastern Coalfields Limited and that rehabilitation benefits, including employment, were assured to affected landowners. Upon such consideration, this Court concluded that the rights of the land losers were required to be examined in accordance with the State Rehabilitation Policy prevailing on the date of acquisition and that subsequent change in policy or internal guidelines could not defeat any accrued entitlement.

9. The submissions now advanced by the review petitioners with regard to applicability of other policies, effect of earlier employment granted to a family member, interpretation of the award, subdivision of land, consent documents and allied issues are essentially attempts to reopen findings already considered in the judgment sought to be reviewed. These are matters touching the merits of the controversy and cannot be reagitated in exercise of review jurisdiction.
10. It is well settled that review jurisdiction is extremely limited. Unless there exists a patent and self-evident error apparent on the face of the record, or discovery of some new material which could not be produced earlier despite due diligence, this Court cannot sit in appeal over its own judgment. Reappreciation of facts, reconsideration of rival interpretations and substitution of one possible view by another are wholly outside the scope of review.
11. It is also well settled principle of law that under the garb of review petition, the Review Petitioners should not be permitted to argue the entire case afresh, which would amount to convert the review petition into an appeal and the same is not sustainable in law. ***{See: Meera Bhanjan v. Smt. Nirmal Kumar Chowdhary, AIR 1995 SC 455, Lily Thomas etc. v. Union of India and others, AIR 2000 SC 1650, Ajit Kumar Rath v. State of Orissa and others, AIR 2000 SC 85, Government of T.N. & Others v. M. Ananchu Asari and others, (2005) 2 SCC 332, and Kerla State Electricity Board v. Hitech Electrothermicism &***

Hydropower Ltd. and others, (2005) 6 SCC 651}.
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12. In the present case, no such manifest error has been demonstrated. On the contrary, the record would show that the issues now sought to be raised were considered while rendering the judgment dated 27.01.2026. Merely because the review petitioners are dissatisfied with the conclusions arrived at would not furnish a ground for review.
13. Consequently, this Court is of the considered view that no case for interference is made out. The review petition being devoid of merit is accordingly **dismissed**.

Sd/-
(BIBHU DATTA GURU)
JUDGE

Jyoti