

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

**Petition(s) for Special Leave to Appeal (C) Nos. 24243-24273/2022**

(Arising out of impugned final judgment and order dated 16-09-2022 in WP No. 3571/2021, WP No. 3572/2021, WP No. 3573/2021, WP No. 3574/2021, WP No. 3575/2021, WP No. 3576/2021, WP No. 3577/2021, WP No. 3578/2021, WP No. 3579/2021, WP No. 3580/2021, WP No. 3581/2021, WP No. 3582/2021, WP No. 3583/2021, WP No. 3584/2021, WP No. 3585/2021, WP No. 3586/2021, WP No. 3587/2021, WP No. 3588/2021, WP No. 3589/2021, WP No. 3590/2021, WP No. 3591/2021, WP No. 3592/2021, WP No. 3593/2021, WP No. 3594/2021, WP No. 3595/2021, WP No. 3596/2021, WP No. 3597/2021, WP No. 3598/2021, WP No. 3599/2021, WP No. 3600/2021 and WP No. 3601/2021 passed by the High Court of Judicature at Bombay at Nagpur)

**WESTERN COAL FIELDS LTD.**

**Petitioner(s)**

**VERSUS**

**TAHSILDAR, KAMPTEE & ORS. ETC.**

**Respondent(s)**

**(IA No. 205396/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT**

**IA No. 50937/2023 - EXEMPTION FROM FILING O.T.**

**IA No. 205397/2022 - EXEMPTION FROM FILING O.T.**

**IA No. 49757/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES**

**IA No. 39671/2023 - STAY APPLICATION)**

**Date : 05-07-2023 These matters were called on for hearing today.**

**CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE PANKAJ MITHAL**

**For Petitioner(s)** Ms. Aishwarya Bhati, A.S.G.  
Mr. Sumit Teterrwal, AOR  
Ms. Shreya Jain, Adv.

**For Respondent(s)** Mr. Siddharth Dave, Sr. Adv.  
Ms. Bansuri Swaraj, Adv.  
Mr. Siddhesh Kotwal, Adv.  
Ms. Ana Upadhyay, Adv.  
Ms. Manya Hasija, Adv.  
Mr. Nihar Dharmadhikari, Adv.  
Mr. Sontu Mia, Adv.  
Mr. Nirnimesh Dube, AOR  
  
Mr. Sanjay Kharde, Adv.  
Mr. Siddharth Dharmadhikari, Adv.

Mr. Aaditya Aniruddha Pande, AOR  
Mr. Bharat Bagla, Adv.  
Mr. Sourav Singh, Adv.

UPON hearing the counsel the Court made the following

**O R D E R**

1. Heard Ms. Aishwarya Bhati, learned ASG appearing for the petitioner. Also heard Mr. Siddharth Dave, learned senior counsel appearing for the respondents. Mr. Sanjay Kharde, learned counsel is appearing for the State of Maharashtra (first respondent).
2. The matters pertain to acquisition of land under the Coal Bearing Areas (Acquisition and Development) Act, 1957 in Mouza Bina, Nagpur for the purpose of exploration of Coal Mines. The affected land owners approached the authorities for treating the acquired land as that of the irrigated category to claim higher compensation and this was granted by the Tehsildar through his order dated 11.07.2016. The resultant challenge by the petitioner was dismissed by the High Court through the impugned judgment dated 16.09.2022.
3. Learned ASG would refer to Section 155 of the Maharashtra Land Revenue Code, 1966 to contend that only correction of clerical error is permitted and in this case, the category of land could not have been converted to irrigated category, after the acquisition process was completed.
4. The 7/12 record of rights appended as Annexure P/19 in Volume-III of the additional documents would indicate that in the year 2001-2002, the land was shown to be under cultivation of various

crops such as Soya, Fruits and Vegetables. This would be possible only when irrigation facility is available in the concerned land. In these circumstances, the correction as made by the Tehsildar, is certainly in order. Moreover, the ground situation was also known to the acquiring authorities i.e., the Western Coal Fields Limited as can be seen from the letter dated 11.05.2015 of the General Manager addressed to the Area General Manager, WCL, Nagpur.

5. Taking all the above circumstances into account, we see no reason to interfere with the impugned judgments. The Special Leave Petition accordingly stands dismissed.

6. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)  
COURT MASTER (SH)

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR