



CGHC010357562026



2026:CGHC:42955-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 934 of 2026**

ROHIT
KUMAR
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Smt. Revati Sahu W/o Shri Ramesh Kumar Sahu D/o Shri Lal Sai Sahu
Aged About 42 Years Resident of Ward No.6 Sarsiwa P.S. And Tahsil
Sarsiwa District- Sarangarh-Bilaigarh (C.G.)

... Appellant**versus**

1 - South Eastern Coalfields Limited Through Its Chairman Cum
Managing Director Head Quarter Seepat Road, Bilaspur (C.G.)

2 - The Chief General Manager South Eastern Coalfields Limited Korba
Area District- Korba (C.G.)

3 - The Manager South Eastern Coalfields Limited Office Of The
Colliery Manager Dhelwadih Mines Korba Area District- Korba (C.G.)

4 - Ramesh Kumar Sahu S/o Shri Krishna Kumar Sahu Aged About 48
Years R/o A/73, Jawaharpara Near A.T.M. Dhelwadih Colliery Mines
Tahsil Katghora District- Korba (C.G.)

5 - Smt Girja Bai Sahu W/o Late Krishna Kumar Sahu Aged About 65
Years R/o Dadarkhurd Road Kharmora Qtr No. 1578/22 Tahsil Korba
District- Korba (C.G.)

... Respondents

For Appellant : Mr. Sunil Sahu, Advocate
For Respondent No.1 to 3/SECL : Mr. Vinod Deshmukh, Advocate

Hon'ble Shri Krushna Ram Mohapatra, Chief Justice

Hon'ble Shri Santosh Sharma, Judge

Judgment on Board

Per Krushna Ram Mohapatra, Chief Justice

05.10.2026

1 I.A. No. 01 of 2026 :

This is an application for condonation of delay of 75 days in filing the writ appeal.

2 Learned counsel for the Appellant submits that after receiving the impugned order dated 11.05.2026, the Appellant filed representation and application under the Right to Information Act, 2005 (for brevity 'the RTI Act') before the respondent – South Eastern Coalfields Limited (for brevity 'SECL') for obtaining certain documents regarding Ram Kishun Sahu and Ram Krishna Sahu. After she received such documents, she consulted her learned counsel and filed writ appeal, as such, there is delay of 75 days in filing the writ appeal. It is submitted that the delay in filing the writ appeal is *bona fide* and not intentional. Hence, he prays for condonation of delay.

3 Learned counsel for the Respondents – SECL, on the other hand, without filing written objection to the application for condonation of delay, submitted that he would make oral objection. It is

submitted that explanations, given in the application for condonation of delay, are not sufficient for condonation of delay of 75 days in filing the writ appeal. Moreover, the Appellant didn't file any representation or application, as stated at para 3 of the application for condonation of delay. He therefore, prays for dismissal of the application.

- 4 Taking note of the submissions made by learned counsel for the parties and on perusal of the record, it appears that learned counsel for the respondents – SECL made a factual denial without filing any written objection. Further, this Court finds that the Appellant, who is not a law knowing person, made representation as well as application under the RTI Act for obtaining certain documents. As such, this Court feels that delay in filing the writ appeal should be condoned and the appeal should be heard on merit.
- 5 In view of the above, delay of 75 days in filing the writ appeal is condoned. I.A. is disposed of accordingly.
- 6 As requested by learned counsel for the parties, the writ appeal is taken up for final disposal.
- 7 Heard Mr. Sunil Sahu, learned counsel for the Appellant as well as Mr. Vinod Deshmukh, learned counsel, appearing for the respondents – SECL.
- 8 This intra-Court appeal has been filed assailing the order dated 11.05.2026 passed by the learned Single Judge in WPC No. 2248

of 2026.

- 9 The writ petition was filed with the following prayers :

“10.1. That, this Hon'ble Court, may kindly call for the entire record in relates to the case of the petitioner.

10.2 That, this Hon'ble Court, may kindly be pleased to issue writ or writs, order or orders to direct the Respondent authorities to decide the representation / application filed by the Petitioner vide Annexure P-1 (Colly), within stipulated period, in the interest of justice.

10.3 That, any other relief, this Hon'ble Court. deem fit and proper may also kindly be granted to the petitioner, in the interest of justice.”

- 10 Learned counsel for the Appellant (Writ Petitioner) submits that she is the legally married wife of respondent No.4 and daughter-in-law of respondent No.5. Alleging serious fraud committed in a public employment as well as consequential service benefits obtained by the family members of respondent Nos. 4 and 5, she had approached this Court. It was submitted that one Ram Kishun Sahu had secured a Government employment by playing fraud and misrepresenting his identity as Krishna Kumar Sahu. After his death, respondent No.4, who is the son of said Krishna Kumar Sahu, got compassionate appointment and thereafter, respondent No.5 is receiving pensionary benefits flowing therefrom. The Petitioner made a complaint to the respondents – SECL to enquire into the matter and unveil the truth. In response thereto, the respondents – SECL issued a memo dated 18.08.2025 calling upon the Petitioner to furnish relevant documents and materials in support of her allegations. It is

submitted that all the relevant documents were submitted to the authority, but despite receipt of such documents, no action was taken by the respondents – SECL, for which the Petitioner had approached this Court in WPC No. 2248 of 2026. Learned Single Judge observing that the employee Ram Kishun Sahu had already died while in service and subsequent to his death, compassionate appointment has already been granted to respondent No.4; and after death of Ram Kishun Sahu, pensionary benefits have been extended to respondent No.5, the grievance of the Petitioner should not be entertained at a belated stage without any materials in support of her case. It is submitted that the learned Single Judge on the first day of listing, disposed of the writ petition without calling for any reply or instructions from the respondent Nos. 1 to 3 – SECL although advance copy was served on learned counsel for the respondents – SECL. It is further submitted that the learned Single Judge didn't appreciate the materials on record in its proper perspective, for which he has committed an illegality which warrants interference.

- 11 Learned counsel for the respondent Nos. 1 to 3 – SECL, on the other hand, vehemently objects to the same and submits that writ petition suffered from delay and laches. Although serious allegations were made by the Appellant with regard to fraudulent action by Ram Kishun Sahu, but no document in support of the same was produced. He further submits that learned Single Judge at para-6 of the impugned order had discussed the matter

in detail and came to a categorical finding that the case of the Petitioner warrants no interference. As such, learned Single Judge has committed no illegality or irregularity in passing the impugned order under Annexure – A/1.

- 12 We have heard learned counsel for the parties and perused the records of the writ petition as well as writ appeal including the impugned order.
- 13 On perusal of the writ petition and documents annexed thereto, with reference to the submissions made by learned counsel for the Appellant, this Court finds that although the Appellant had made serious allegations, but no relevant material in support of her submission was placed before learned Single Judge. Further, the Appellant does not explain how she is aggrieved by the appointment of Shri Ram Kishun Sahu. It is further noted that bald allegations have been made by the Appellant without any basis. Further, the complaint was lodged before the SECL at a belated stage. By then, Ram Kishun Sahu, who was given employment, had died while in service and compassionate appointment was given to respondent No.4. On the death of Ram Kishun Sahu, pensionary benefit is being extended to respondent No.5. All the aforesaid facts appear to be within the knowledge of the Appellant, but she didn't prefer to challenge the illegal appointment of Ram Kishun Sahu at the relevant time. Much water has flown in river Mahanadi, in the meantime. Thus, we

find that learned Single Judge has committed no illegality in dismissing the writ petition, more particularly, when the writ petition suffered from delay and laches and the allegations were made without any materials in support of the same. The Appellant appears to have not discharged the initial burden of proving the allegations made in the writ petition.

- 14 Hence, the writ appeal, being devoid of any merit, stands **dismissed**.

**Sd/-
(Santosh Sharma)
Judge**

**Sd/-
(Krushna Ram Mohapatra)
Chief Justice**