

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 2406 OF 2015

Samaar Singh, son of Shri Tekam, aged about 55 years,
Caste-Gond, resident of village Beltekri, Police Station
Dipka, Korba, Tahsil Katghora, District Korba (C.G.)

Civil & Revenue District Korba.

---- Petitioner

Versus

1. South Eastern Coalfields Ltd., through its Chairman-cum-Managing Director, Seepat Road, Bilaspur (CG)
2. The General Manager, Gevra Area, South Eastern Coalfields Ltd., District Korba.
3. Arun Kumar, son of Shri Bhagwan Singh, aged about 35 years, resident of M-588, Dipka Colony, Post Gevra Project, P.S. Dipka, District Korba (CG)

---- Respondents

For Petitioner	: Mr. Yogesh Kumar Chandra, Advocate
For Respondents No. 1 & 2	: Mr. Vinod Deshmukh, Advocate
For Respondent No. 3	: Mr. Raj Kumar Gupta, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30/03/2016

1. Heard on admission.
2. By way of this writ petition, petitioner is seeking direction to the respondent authorities to conduct an enquiry in connection with grant of appointment of the respondent No. 3 for his removal.
3. Learned counsel for the petitioner would submit that the respondent No. 3 is not son of present petitioner and therefore, he was not entitled for appointment granted on 03/03/1993 on the post of Daily Rated Workman on the basis of compassion.
4. It appears that the said compassionate appointment was granted to the respondent No. 3 on 03/03/1993 and writ petition has been filed questioning his appointment on 26/06/2015. There is no explanation for inordinate delay of 22 years in filing writ petition. Apart from this, the writ petition raises disputed question of fact which cannot be adjudicated in this writ petition.
5. Accordingly, the writ petition deserves to be and is

hereby dismissed on the ground of delay and laches in filing the writ petition and also for the reason that the disputed question of fact is involved. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
JUDGE