

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1862 of 2016

Samay Das S/o Heera Lal, Aged About 59 Years Presently Working As S D L Helper, Category IV, Mahamaya Underground Mines, S E C L, Bhatgaon Area, District Surguja, (Chhattisgarh)

---- Petitioner

Versus

1. South Eastern Coal Field Limited Through: Its Chairman Cum Managing Director, Seepat Road, Bilaspur, (Chhattisgarh) 495006
2. The General Manager, South Eastern Coal Field Ltd., Bhatgaon Area, Post Office Bhatgaon Colliery, District Surguja, (Chhattisgarh)
3. The Personal Manager, Bhatgaon Area, Post Office Bhatgaon Colliery, District Surguja, (Chhattisgarh)

---- Respondents

Shri Gary Mukhopadhyaya, counsel for the petitioner/s.
Shri Vaibhav Shukla, counsel for the respondents.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/06/2016

As against averments made in the petition that the petitioner has not been sent for proper medical examination of getting benefit under the provisions contained in clause 9.4.0 of NCWA, affidavit has been filed by the respondent that the petitioner was examined by the Medical Board / Screening Committee and the Committee did not find the case of the petitioner for recommendation for his retirement on medical grounds.

In view of above, the scope of the petition being limited, no further enquiry can be made in this petition as the respondents have come with an affidavit that a decision is taken in the matter. The petitioner, if so advised, may challenge the decision of the respondents in a appropriately constituted petition.

With the aforesaid liberty, this petition is dismissed.

Sd/-

**(Manindra Mohan Shrivastava)
Judge**