

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4550 of 2016

Chandan Birha S/o Late Sukhu Birha, Aged About 26 Years
Godripara, P.S.: Chirimiri, Tahsil: Khadgawan, Distt. Korea,
(Chhattisgarh)

---- Petitioner

Versus

1. South Eastern Coalfields Ltd. Through: The Chairman Cum Managing Director, Head Qtrs., Seepat Road, P.S. Sarkanda, Bilaspur, (Chhattisgarh)
2. Director, (Personnel), South Eastern Coalfields Ltd., Head Qtrs., Seepat Road, P.S. Sarkanda, Bilaspur, (Chhattisgarh)
3. Chief General Manager, Chirimiri Area, P.S.: Podi (West Chirimiri), Chirimiri, Distt. Korea, (Chhattisgarh)
4. Deputy Chief Medical Officer, Area Hospital, Kurasia, South Eastern Coalfields Ltd., Chirimiri Area, Chirimiri, P.S. Chirimiri, Distt. Korea, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. N. Naha Roy, Advocate.
For Respondents	:	Mr. Shailendra Shukla, Advocate, on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/09/2016

Heard on admission.

1. It is the case of the petitioner that upon death of his mother when the petitioner made application for grant of compassionate appointment in accordance with the policy for grant of employment to dependent under the provisions of Chapter-IX of the National Coal Wage Agreement relating to Social Security.
2. Learned counsel for the petitioner submits that the application was

moved soon after the death of the employee but till date, no decision has been taken.

3. Without commenting upon the merits of the case, once an application for compassionate appointment has been made, it is required to be decided one way or the other. The petitioner should either be granted employment or if for some reason, it cannot be granted, it should come out in the form of speaking order. The decision has to be taken within a reasonable time and it cannot be kept pending for indefinite period for any other reason unless there is restraint order by any Court of law. Within a period of 90 days, the respondents shall pass speaking order on petitioner's claim of compassionate appointment.

4. It goes without saying that if the petitioner's grievance is not redressed, it shall always be open for the petitioner to take recourse to remedy as may be available to him under the law.

5. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E