

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3678 of 2017

Smt. Meena W/o Shri Santosh Aged About 27 Years Daughter Of Late Nandkeshwar, Occupation Unemployed, R/o Salka, Post Salka, Police Station Bhatgaon District Surajpur Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through The Chairman - Cum - Managing Director, Head Quarter, Seepat Road, Police Station Sarkanda, District Bilaspur Chhattisgarh.
2. The Director (Personnel), South Eastern Coalfields Limited, Head Quarter, Seepat Road, Police Station Sarkanda, Bilaspur, District Chhattisgarh.
3. The General Manager, South Eastern Coalfields Limited, Bhatgaon Area, Jarhi, District Surajpur Chhattisgarh.
4. Sub - Area Manager, South Eastern Coalfields Limited, Sub Area Dugga, Area, Bhatgaon, District Surajpur Chhattisgarh.

---- Respondents

Shri D. Kushwaha, counsel for the petitioner/s.

Shri Vinod Deshmukh, counsel for the respondents on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/08/2017

The petitioner, daughter of deceased employee, has prayed for direction to respondents for grant of compassionate appointment.

2. Learned counsel for the petitioner submits that after the death of petitioner's father way back in the year 2004, petitioner's mother applied for compassionate appointment but the application was rejected on 06/11.01.2005 on the ground that the age of petitioner's mother was more than 45 years and she was only held entitled for payment of monetary compensation of Rs.3,000/- per month. Thereafter, the petitioner was married. After the mother died, now the petitioner has claimed appointment on compassionate basis which has not

been decided till date.

3. It appears that the petitioner's father died in the year 2004 and at that time, petitioner's mother applied for compassionate appointment which prayer was rejected on the ground that she was over aged. Order dated 06.01.2005 was never assailed in any Court of law. It appears that the petitioner's mother was satisfied with the order because she was held entitled for payment of monetary compensation of Rs.3,000/- per month. On 22.05.2013, petitioner's mother died. It appears that at this belated stage, the petitioner now comes to the Court to seek compassionate appointment.

4. Learned counsel for the respondents, on advance copy, submitted that the petitioner has not shown any basis under the existing policy which would entitle the petitioner to compassionate appointment after 13 long years of the death of her father in the stated circumstances.

5. Learned counsel for the petitioner could not satisfy this Court as to under which policy the petitioner was entitled to be considered for appointment on compassionate basis, 13 years after the death of her father, particularly when compassionate appointment application of the widow of deceased employee was rejected in the year 2005 though held entitled to monetary compensation of Rs.3,000/- per month which was accepted by her all these years until she died.

6. Therefore, I do not find any ground in the petition to issue notice to respondents. The petition is, accordingly, dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge