

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6405 of 2017

1. Sohanlal @ Sohanram S/o Shri Ramprasad Aged About 33 Years R/o Village Govindpur, Post, P. S. And Tahsil Bishrampur, Revenue District Surajpur Civil District Surguja Chhattisgarh
2. Smt. Indrawati, D/o Late Dwarika Prasad Sahu, W/o Sohanlal @ Sohanram, Aged About 33 Years R/o Village Govindpur, Post, P. S. And Tahsil Bishrampur, Revenue District Surajpur Civil District Surguja Chhattisgarh

---- Petitioners

Versus

1. South Eastern Coal Field Limited Through The Chairman-Cum- Managing Director, Seepat Road, Bilaspur, Chhattisgarh.
2. General Manager, Kumda, Sub Area, S E C L Bishrampur, District Surajpur Chhattisgarh
3. Sub Area Manager, Kumda Sub Area, Bishrampur Area, District Surajpur Chhattisgarh
4. Area Personnel Manager, S E C L, Sub Area Kumda Colliery, Bishrampur Area, District Surajpur Chhattisgarh

---- Respondents

For Petitioners : Shri Ashok Kumar Shukla and Shri Atanu Ghosh, Advocate
For Respondents : Shri V.R. Tiwari, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/12/2017

Heard.

1. The petitioners have assailed legality and validity of the decision of the respondents in rejecting claim for compassionate appointment.
2. Learned counsel for the petitioners, relying upon clause 9.3.3 under Clause 9.3.0 (quoted in the impugned order), would submit that the petitioner being a dependent son-in-law of the deceased employee is entitled to

compassionate appointment.

3. During the course of hearing, learned counsel for the petitioners could not dispute that at the time of death of the employee, daughters were not married and they got later on married. If that be so, there is no question of the petitioner/applicant being dependent of his father-in-law. The dependency has to be seen as on the date of the death of the employee. The provision for compassionate appointment is made only to provide immediate succor to the family of employee who died in harness and not a source of employment for all times to come to any member of the family or any person who becomes the relative later on due to marital relations. The daughter of the deceased employee was married to the present applicant/petitioner No.1 after the death of the employee. Such son-in-law are completely outside the purview of claim of compassionate appointment. Therefore, rejection of petitioner's representation does not warrant any interference.
4. The petition is liable to be dismissed and is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge