

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.910 of 2017

Smt. Jeth Kunwar W/o. Late Shri Chandan Singh, Aged About 52 Years R/o
B. L. P.- 03/3345, South Eastern Coalfields Limited, Kusmunda Area, District
Korba (Chhattisgarh)

---- **Petitioner**

Versus

1. Chairman Cum Managing Director, South Eastern Coalfields Limited
South Eastern Coalfields Limited Bhawan, Seepat Road, Bilaspur,
District Bilaspur (Chhattisgarh).
2. General Manager, South Eastern Coalfields Limited, South Eastern
Coalfields Limited Bhawan, Seepat Road, Bilaspur, District Bilaspur
(Chhattisgarh).
3. General Manager, Kusmunda Area, South Eastern Coalfields Limited,
Kusmunda Colliery, District Korba (Chhattisgarh).
4. Regional Commercial Manager, Kusmunda Area, South Eastern Coalfields
Limited, Kusmunda Colliery, District Korba (Chhattisgarh).

---- **Respondents**

For Petitioner
For respondents

Shri Prateek Sharma, Advocate.
Shri Shailendra Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

22/02/2017

1. The present petition has been preferred assailing the order dated
30.01.2017 passed by the respondents intimating the petitioner that
she would be retiring on attaining the age of superannuation on
31.03.2017.
2. Counsel for the petitioner submits that this is second round of litigation.
The earlier round of litigation was also for the same cause of action in
respect of notice which was issued on 06.10.2016 against which writ
petition (S) No.6288 of 2016 was filed. The said writ petition was
disposed of on 08.12.2016 directing the respondents to refer the matter
of the petitioner to the Age Determination Committee which shall

consider and decide the case of the petitioner within a period of three months from the date of receipt of copy of order.

3. Pursuant to disposal of writ petition, letter dated 17/21.01.2017 was issued asking the petitioner to report for examination before the Age Determination Committee on 25.01.2017.
4. Counsel for the petitioner submits that subsequently there has been no intimation to the petitioner in respect of the outcome of the said committee. The committee has not intimated about the development taken thereafter and straightway the impugned order has been issued which is nothing but repetition of the earlier letter dated 06.10.2016.
5. At this juncture, this court is of the opinion that since the petitioner has already been directed to be examined by the Age Determination Committee, the said committee's report would be important and the petitioner is entitled for the intimation of the committee's report. Accordingly, the respondents are directed to ensure providing of committee's report to the petitioner immediately so that in case if the petitioner intends to challenge, the same can be challenged by the petitioner, if law so permits.
6. It is expected that the respondent No.3 shall provide the report of Age Determination Committee to the petitioner preferably within a period of two weeks from the date of providing of certified copy of this order to the respondent No.3.
7. With the aforesaid direction, the petition stands disposed of.

Sd/-

(P. Sam Koshy)
Judge