

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.6312 of 2016

Farida Bano, W/o Late Salim Khan, aged about 42 years, R/o Rawanbada, Khas Colliery, Post Dighawani, Tahsil Parasiya, District Chindwada (M.P.)

---- Petitioner

Versus

1. Union of India, through the Secretary, Coal Department, New Delhi (India)
2. The Manager, SECL Kusmunda Project, Village Kusmunda, District Korba (C.G.)
3. The General Manager (Mines), SECL Kusmunda Project, Village Kusmunda, District Korba (C.G.)
4. The C.M.D. SECL, Head Office Vasant Vihar, Seepat Road, Bilaspur, Post Box No.60, Police Station Sarkanda, District Bilaspur (C.G.)

---- Respondents

For Petitioner: Mr. Dharmesh Shrivastava, Advocate.
For Respondents No.2 to 4: -
Mr. Abhishek Sinha, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

13/02/2017

1. The petitioner has filed this writ petition claiming compassionate appointment on account of death of her husband Salim Khan.
2. It appears from the reply filed by the respondents SECL that one Shamsheer Khan has filed civil suit before the civil court on 14-8-2012 claiming permanent injunction and also restraining the respondents SECL from granting compassionate appointment to the present petitioner and in which the

application for temporary injunction is also pending and it is stated that the petitioner has been served in that civil suit and is appearing in the same. The petitioner has also filed Succession Case No.3/2013. Both the civil suit and the application for succession certificate are pending. Therefore, it would not be expedient to entertain the writ petition, at this stage. However, the petitioner is at liberty to revive the petition at appropriate stage after the disposal of suit and succession application, in accordance with law.

3. With the aforesaid observation, the writ petition is finally disposed of. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma