

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 1486 of 2018**

Smt. Lata Yadav Wd/o Late Shri Arun Kumar Yadav, aged about 26 years, R/o Vikas Nagar Kusmunda, Tahsil Katghora, District Korba, Chhattisgarh

---- Petitioner**Versus**

1. South Eastern Coalfields Limited through the Chairman cum Managing Director, Vasant Bihar, Seepat Road Sarkanda, Bilaspur, District Bilaspur (CG)
2. General Manager, S E C L Surakchhar Balgi Sub Area Tahsil Katghora District Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Shri S. B. Pandey, Advocate
For Respondents	:	Dr. N. K. Shukla, Senior Advocate along with Shri Vinod Deshmukh, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****14/03/2018**

The present petition has been filed seeking for a direction to the respondents for considering the case of the petitioner for grant of dependent employment.

2. The claim of the petitioner was rejected on the ground that the petitioner was not named in the service record of the deceased employee as a nominee or as a wife of the deceased employee.

3. Counsel for the petitioner submits that the petitioner has also obtained a succession certificate in her favour.

4. However, at this juncture, what is reflected is that the petitioner in between had filed a suit under Section 7 (1) (A) of the Family Court Act for declaring her status as the legally wedded wife of late Arun Kumar Yadav. The said suit was rejected by the Family Court, Katghora vide order dated

08.12.2017, an appeal against which is pending consideration in FA(M) No. 28 of 2018.

5. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that the petitioner's claim for dependent employment would fructify only after the outcome of FA(M) 28/2018 pending consideration before this Court.

6. The writ petition thus stands disposed of at this juncture with a direction that subject to the outcome of FA(M) No.28 of 2018, the petitioner would be at liberty to approach the respondents who in turn shall consider the case of the petitioner as per the order of this Court to be passed in FA(M) No.28 of 2018.

Sd/-
(P. Sam Koshy)
JUDGE