

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 5035 of 2018

Smt. Vidya Sahu D/o Late Shri Kartikram Sahu, aged about 40 years, R/o Gayatri Nagar, Rajgamar, SECL, P.S. Rajgamar (Balconagar), Tehsil & District – Korba (C.G.), Presently residing at C/o R.K.Medical Stores, Post & Tehsil Nawagarh, District Janjgir-Champa (C.G.).

---Petitioner

Versus

1. South Eastern Coalfields Limited, through its chairman Cum Managing Director, Hear Quarter, Seepat Road, Bilaspur (C.G.).
2. Chief General Manager, SECL, Raigarh Area, Sub Area – Barod Mines, Tehsil Raigarh, District Korba (C.G.).
3. General Manager (MINING), SECL, Rajgamar, Sub Area Korba, District Korba (C.G.).
4. Deputy Personnel Manager, SECL, Rajgamar, Sub Area, Korba, District Korba (C.G.).

---Respondents

For petitioner : Shri Ashutosh Shukla, Advocate.
For respondents : Shri Vinod Deshmukh, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/08/2018

1. The facts of the instant Writ Petition is that, the petitioner had applied for grant of compassionate appointment on the death of the father who had died in harness on 04/10/1995.
2. It appears that, there was some dispute so far as whether the petitioner was a legal heir or not.
3. The petitioner says that he has subsequently obtained succession certificate also from the Court of Civil Judge, Class-1, Korba and the said

order passed in the succession case has also been affirmed by the High Court in a revision and thereafter she has again approached the authorities for considering the claim of the petitioner for compassionate appointment.

4. The counsel for the petitioner submits that, till date, the respondents have neither rejected the claim of the petitioner nor have they intimated the petitioner as to what are the shortfalls or further requirement from the petitioner.

5. In the given facts, this Court does not intend to keep the Writ Petition pending, rather ends of justice would meet if the Writ Petition is disposed off with a direction to the respondents No. 2 & 3 to scrutinize the case of the petitioner and consider grant of appointment to the petitioner under the provision of NCWA applicable.

6. Let this exercise be done within a period of 90 days from the date of receipt of copy of this order.

7. Needless to mention that, this Court has not expressed any opinion so far as the entitlement of the petitioner is concerned. The authorities would be free to decide the application in accordance with the Rules.

8. In addition, the petitioner would also be at liberty to make a fresh representation in addition to the earlier representation made by the petitioner.

9. With the aforesaid observations, the Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE