

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Review Petition No. 100 of 2019**

Krishna Devi Rathore D/o Late Shri Lakhan Ram Rathore, Aged About 33 Years, R/o Nizami Ashiyana, Gaji Nagar, Ikram Ahamad Prasad Karyalaya, Post Office - Birgaon, Police Station - Urla, District – Raipur, Chhattisgarh

---- Petitioner**Versus**

1. Chhattisgarh State Power Companies Limited Through Chairman, Raipur, District – Raipur, Chhattisgarh
2. Executive Director (O & M) Chhattisgarh State Power Holding Company Limited, 5th Floor, Viduth Sewa Bhawan, Danganiya, Raipur, District Raipur, Chhattisgarh
3. Deputy General Manager (H.R.) -2 Chhattisgarh State Power Holding Company Limited, 5th Floor, Viduth Sewa Bhawan, Danganiya, Raipur, District Raipur, Chhattisgarh
4. Ku. Sharda Rathore Working As A Peon, O/o Executive Director (O And M), Chhattisgarh State Power Holding Company Limited, 5th Floor, Viduth Sewa Bhawan, Danganiya, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner : Mr. S. P. Kale, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26.06.2019**

1. The present review petition has been filed seeking review of the order dated 11.04.2019 passed in WPS No. 2763 of 2019.

2. This Court while disposing of the said writ petition had made the following observations:

“1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondent no. 1 to 3 for taking appropriate action against respondent no.4 in the light of the undertaking that respondent no.4 has given at the time of appointment that of maintaining her mother as well as her sister who is mentally challenged.

2. At the outset, this Court is of the opinion that remedy available to the petitioner would be firstly to approach the employer concerned which the petitioner has already done and thereafter if the grievance still survives the mother as well as the insane sister of the respondent no.4 would be free to approach the concerned Court having jurisdiction for grant of appropriate maintenance, particularly in the light of the undertaking given by the respondent no.4.”

3. The review petition has now been filed seeking review of the order to the extent that counsel for the petitioner inadvertently submitted that the mother of the petitioner was also alive along with an insane sister of the present petitioner.
4. According to the petitioner, her mother, in fact, had already died and the insane sister is totally dependent upon the present petitioner. Thus, the review petition has been filed by the petitioner seeking permission to represent for and on behalf of her insane sister.
5. Considering the facts and circumstances of the case, particularly the statement made by the counsel for the petitioner that the mother of the petitioner had already died prior to the disposal of WPS No. 2763/2019, this Court is of the firm view that since the sister of the

petitioner is insane, the petitioner has all the right to represent the insane sister in the capacity of being the guardian and protector of the insane sister subject to the fact that the insane sister is totally dependent upon the petitioner.

6. Accordingly, the order dated 11.04.2019 passed in WPS No. 2763 of 2019 shall henceforth be read as “granting permission to the present petitioner to raise the claim for and on behalf of her insane sister”.
7. Review Petition thus stands allowed and disposed of. Let a copy of the order passed in the review petition be made part of the record of WPS No. 2763/2019. The present petitioner while putting forth her claim would be required to submit both the orders i.e. the order passed in WPS 2763/19 and the order passed in the present review petition together in support of her claim.

**Sd/-
P. Sam Koshy
Judge**