

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4140 of 2019

Sheo Mangal S/o Ramdhan, Aged About 56 Years R/o Village Telgawan, Police Station Bhatgaon, Tehsil - Bhaiyathan, District - Surajpur, C.G. Through The Power Of Attorney Holder Jamuniya @ Kabutri W/o Sheo Mangal, Aged About 46 Years, R/o Village Telgawan, Police Station Bhatgaon, Tehsil - Bhaiyathan, District - Surajpur Chhattisgarh.

---- Petitioner

Versus

1. The South Eastern Coalfields Limited, Through The Managing Director, Head Quarter, Bilaspur Chhattisgarh.
2. The Chief General Manager, South Eastern Coalfields Limited, Area Bhatgaon, Bhatgaon, District - Surajpur, Chhattisgarh.
3. The Sub - Area Manager SECL, Bhatgaon District - Surajpur Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Abhishek Paney, Advocate
For State	:	Mr. V.R. Tiwari, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17/06/2019

1. The limited relief that the petitioner has sought in the present writ petition is for a direction to the respondent No.2 to decide the representation of the petitioner that he has raised for sending his case to the Medical Board to decide his fitness in performing his duties so that the petitioner can avail the benefits that are otherwise available under chapter 9 of NCWA.
2. According to the petitioner, he met with major accident in February, 2015 and as a result of which he had received grievous injuries and after prolonged treatment by the respondents, he is still unable to discharge his duties normally. That District Medical Board has assessed his disability at 60%, therefore he had moved an application to the respondents No.1 & 2 for referring the case of the petitioner to the Medical Board of the Department,

which would decide the suitability of the petitioner so far as his physical fitness is concerned.

3. The limited prayer made by the petitioner seems to be fair and reasonable. Accordingly, it is directed that the respondent No.2 shall consider the case of the petitioner for sending him to the Medical Board, who would in turn assess the general physical condition of the petitioner and decide whether he is fit for employment or not.
4. Let the respondent No.2 take a decision in this regard at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved