

HIGH COURT OF CHHATTISGARH AT BILASPUR
WPS No. 3605 of 2017

Smt. Rampati Devi W/o Late R. N. Chauhan, Aged About 55 Years R/o M Q / A - 40, Balgi Project, District Korba Chhattisgarh Through Sandeep Kumar Chouhan Son Of Late R. N. Chauhan, Aged About 27 Years, Resident Of M Q / A - 40, Balgi Project, District Korba Chhattisgarh The Petitioner Is Mentally Unfit, Therefore This Petition Is Being Filed Through Her Son.

---- **Petitioner**

Versus

1. South Eastern Coalfields Limited Through Its Managing Director, Headquarter, Seepat Road, Bilaspur, District Bilaspur Chhattisgarh.
2. Coal India Limited, Through Its Chairman, 10th Netaji Subhash Road, Kolkata West Bengal
3. The Manager Personnel, S E C L, Balgi Project, S E C L, District Korba Chhattisgarh.
4. The Sub Area Manager, S E C L, Balgi Project, District Korba Chhattisgarh.

---Respondents

For Petitioner	:	Shri Arvind Dubey, Advocate.
For Respondent	:	Shri K.K. Shrivastava, Adv.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/08/2019

1. The relief sought for by the petitioner in the present writ petition is for an appropriate direction to the respondents to consider the application for voluntary retirement in accordance with the scheme prevailing in the respondents establishment.
2. Today, when the matter is taken up, counsel appearing for the parties accept the fact that the petitioner has crossed the age of superannuation, pending the petition before this Court on the 31.05.1991.
3. Given the fact that the petitioner has crossed the age of superannuation, the relief sought for by the petitioner, at this

juncture, can not be awarded by this Court in exercise of power of judicial review. It would have been possible if the petitioner would have same service left, so that respondents could have been directed to take appropriate decision. Thus, the writ petition as such has rendered infructuous.

4. If at all if the petitioner intends to approach the department for any sympathetic consideration, considering the medical condition of the petitioner, she is at liberty to approach the authorities concerned in the department who inturn may consider the same in accordance with the provisions governing the field.
5. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

(P. Sam Koshy)
JUDGE