

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5328 of 2019

Balit Kumar S/o Late Devchand Aged About 22 Years R/o Village Palma,
P.O. Chandanmeda, Police Station- Bhailyathan, District- Surajpur,
Chhattisgarh., District : Surajpur, Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through Chairman-Cum-Managing Director, South Eastern Coalfields Limited, Head Quarter Seepat Road Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Chief General Manager South Eastern Coalfields Limited, Bhatgaon Area, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh
3. Personnel Manager Bhatgaon Sub Area, South Eastern Coalfields Limited, Bhatgaon Sub Area, P.O. Bhatgaon Colliery, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Chandresh Shrivastava, Advocate.
For Respondents	:	Shri K. K. Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.07.2019

1. The grievance of the petitioner in the instant case is the inaction on the part of the respondents in not considering the case of the petitioner for dependent employment and also in not releasing the monetary dues which the petitioner was entitled for on the death of his mother who was working under the respondents and who died in harness.
2. So far as the claim for dependent employment is concerned, the scheme for compassionate appointment do not have a clause for keeping the claim for dependent employment alive till the minor attains the age of majority, the petitioner therefore at this juncture

may not be entitled for the same. However, he will be entitled for monetary dues which the petitioner was entitled on the death of his mother who was in employment of the respondents and who died while in service. The petitioner undoubtedly would be entitled for the dues like gratuity, provident fund and other dues payable, subject to the verification whether the petitioner was the legal heir of the deceased employee or not?

3. According to the petitioner as per the information that he has perhaps in the nomination form the name of the petitioner is reflected, if not, the petitioner is also ready to provide succession certificate to the respondents declaring him to be the legal heir of the deceased employee.
4. Given the aforesaid statement of the counsel for the petitioner, this Court is of the opinion that the writ petition itself can be disposed off at this juncture with a direction to the respondent No. 2 & 3 to scrutinize the documents/service records of the deceased employee ascertaining whether the name of the petitioner is reflected in any of the service records as son of the deceased employee and take appropriate steps so far as the release of the monetary dues which fell due to the petitioner on the death of his mother, the employee of the respondents.
5. Let this exercise be carried out by the respondent No. 2 & 3 within a period of three months from the date of receipt of copy of this order.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

(P. Sam Koshy)
Judge