

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 999 of 2019***{Arising out of order dated 24.09.2018 passed by the learned Single Judge in
Writ Appeal No.459 of 2018}*

1. South Eastern Coalfields Limited, Through Chairman-Cum-Managing Director, South Eastern Coalfields Limited, Seepat Road, Bilaspur Chhattisgarh.
2. Chief General Manager, South Eastern Coalfields Limited, Bhatgaon Area, Post Bhatgaon, District Surguja Now Surajpur Chhattisgarh.
3. Area Personnel Manager, South Eastern Coalfields Limited, Bhatgaon Area, District Surguja Now Surajpur Chhattisgarh.
4. Deputy Chief Personnel Manager Sub Area, Bhatgaon, Area, District Surguja Now Surajpur Chhattisgarh.

---- **Petitioners****Versus**

- Shraddheya Bhagat S/o Late Shri Jairam Bhagat Aged About 32 Years R/o Bhatgaon Colliery, Quarter No. B-94, Behind Hospital Bhatgaon, District Surguja Now Surajpur Chhattisgarh.

---- **Respondents**

For Applicant : Shri H.B. Agrawal, Senior Advocate with Ms. Richa Dwivedi, Advocate.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Order on Board**P. R. Ramachandra Menon, Chief Justice****14.11.2019**

1. The appeal preferred by the Petitioner challenging the verdict passed by the learned Single Judge in Writ Petition (S) No. 1127 of 2011 was dismissed as having no merits, as per the verdict dated 24.09.2018 passed by the Bench.

The operative portion of the said verdict reads as follows:

- “11. In the above circumstances, therefore, the appeal has no merit. No interference is warranted with the order dated 08.01.2018 passed by the learned Single Judge.

However, the cost of Rs.10,000/- which was imposed upon the Appellants/SECL is hereby set aside but the direction to provide appointment within 45 days of the application made by private Respondent stands. The Appellants/SECL are directed to expedite the decision making on the application of the private Respondent within 30 days from today, since all the objection on behalf of the Appellants/SECL was to avoid giving benefit of employment to the dependent of the employee, who dies in harness."

2. The present petition has been filed by the Appellant pointing out that, though they initially wanted to challenge the proceedings, a decision has now been taken to give effect to the verdict and hence time is sought to be extended by two months. The prayers in the application dated 02.09.2019 is in the following terms:

"It is therefore, prayed that the Hon'ble Court may kindly be pleased to allow this application by extending further 02 months time from the date of order, so that order may be complied with within extended time of two months from the date of order of this Court, in the interest of justice."

3. Heard the learned Senior counsel for the Petitioner.
4. Going by the pleadings and proceedings, period of 'two months' sought for as per the Petition dated 02.09.2019 is already over and virtually, the matter has become infructuous. However, we grant a further period of 'two weeks' from today to give effect to the verdict.
5. The MCC stands disposed off accordingly.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge