

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7953 of 2019

Sugri W/o Santosh Sonwani and D/o Raghuvar Aged About 35 Years R/o Ward Number 5 Garlaiyatola Post Seoni Village Badroudi, District Bilaspur (CG).

---- Petitioner(s)

Versus

1. Coal India Limited Through Its Chairman 10 Netaji Subhash Road Calcutta West Bengal.
2. South Eastern Coalfields Limited Chairman-Cum-Managing Director Seepat Road Bilaspur District Bilaspur Chhattisgarh.
3. Sub Regional Manager Sub Area Ramnagar District Annuppur Madhya Pradesh
4. Senior Manager (Personnel) Ramnagar Sub Area District Annuppur Madhya Pradesh
5. Mine Manager Jhiria U.G. Mine District Anuppur Madhya Pradesh.

---Respondents

For Petitioner	:	Shri Kishore Narayan, Advocate.
For Respondents	:	Shri Varunendra Mishra on behalf of Shri Vivek Ranjan Tiwari, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30.09.2019

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents to consider the claim of the petitioner for dependent employment at the earliest.
2. To the said relief sought for by the petitioner, the counsel for the respondents does not have any objection.
3. The counsel for the petitioner submits that the only dispute which perhaps the petitioner is facing is that the name of the petitioner has been differently spelt on different documents and Registers and therefore the respondents are not taking a final decision.
4. In the opinion of this court, the spelling of the petitioner is not one which matters for considering her claim for dependent employment. What is

necessary to be investigated and affirmed is whether the petitioner is the widowed daughter of the deceased employee namely Raghuvar or not. In the event, if the petitioner is able to provide sufficient documents to establish that she is infact the real daughter of the deceased employee Raghuvar, the respondent authorities would proceed and decide the claim of the petitioner so far as grant of dependent employment is concerned in accordance to the scheme of dependant employment.

5. Correction of the spelling in the name of the petitioner is not one which could be granted by the Succession Court. Neither can such an application be made before the Civil Court under Section 372 of the Indian Succession Act. There are other mechanism available for the respondents-establishment to ascertain whether the petitioner is the daughter of the deceased employee or not.
6. Let the respondents No.2 to 5 take necessary steps at the earliest to determine whether the petitioner is the widowed daughter of the deceased employee Raghuvar or not and whether the petitioner is entitled for the dependent employment under the provisions of dependent employment applicable in the respondent-establishment. Let appropriate decision be taken in this regard preferably within a period of four months from the date of receipt of copy of this order.
7. The Writ Petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge