

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4067 of 2018**

1. Smt. Ratni Bai Wd/o Late Sukulram, Aged About 55 Years R/o Ekta Nagar, Khongapani, Tehsil Manendragarh, West Jhagrakhand Colliery, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
2. Smt. Nanda D/o Late Sukulram, Aged About 34 Years R/o Ekta Nagar, Khongapani, Tehsil Manendragarh, West Jhagrakhand Colliery, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Petitioners

**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. Director (Personnel), South Eastern Coalfields Limited, Head Quarter, Seepat Road, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Colliery Manager West J.K.D. Colliery, Hasdeo Area, P.O. Khongapani, District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh
4. Assistant Manager (Personnel) West J.K.D. Colliery, Hasdeo Area, P.O. Khongapani, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondents

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| For Petitioner | : | Mr. Chandresh Shrivastava, Advocate |
| For State      | : | Mr. Sudhir Kumar Bajpai, Advocate   |

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**Hon'ble Shri Justice Goutam Bhaduri****Order**

17-09-2020

1. Heard
2. The issue involved in this writ petition is about the dismissal of the application for compassionate appointment of the petitioner No.2 Smt. Nanda by order dated 28-12-2017 (Annexure P/1) on the ground that she is a married daughter of deceased employee and has been deserted by her husband.
3. Learned counsel for petitioners submits that late Sukulram who was husband of petitioner No.1 and father of petitioner No.2,. died in harness on 10-7-2017 while working as Loader at West Jhagrakhand colliery. He would further submit that the issue involved in this petition is squarely covered by order dated 15-03-2016 (Annexure P-12) passed by the coordinate Bench of this Court in **WPS No.4994 of 2015 (Smt. Asha Pandey vs. Coal India Ltd. and others)** wherein it has been held that there cannot be any discrimination against married daughter in the matter of consideration for grant of compassionate appointment.
4. The only reason for rejection of the application of petitioner No.2 for grant of compassionate appointment is that she happens to be a married daughter of the deceased employee and was even deserted by her husband. The order dated 28-12-2017 (Annexure P/1) involves within its fold the prime issue whether the petitioner No.2 being a married daughter of deceased employee is entitled for compassionate appointment

or not. The issue is fully covered by law laid down by co-ordinate Bench of this court in the case of Smt. Asha Pandey (supra) and in view of the said order, which has been passed by this Court, the petitioners' claim could not have been rejected on this ground alone.

5. Accordingly, this petition is finally disposed of with a direction to the respondent authorities to consider and decide the claim of petitioner No.2 in the light of order passed by coordinate Bench of this court in the case of Smt. Asha Pandey (Supra) within a period of three months from the date of receipt of copy of this order.

Sd/-  
**(Goutam Bhaduri)**  
**Judge**

Raju