

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4626 OF 2020**

• Smt. Bhumika Singh Rajput, W/o Late Tomesh Singh Rajput, aged about 35 years, D/o Arun Kumar Bisen, R/o Village Parsada, Police Station Kusmunda, Tehsil- Katghora, District Korba (CG) **... Petitioner**

versus

1. South Eastern Coalfields Limited, through its Chairman cum Managing Director, Head Office, Seepat Road, Bilaspur, Tehsil and District Bilaspur (CG)
2. Regional Manager, Coal Mines Provident Fund Office, Seepat Road, Near Police Station Sarkanda, Bilaspur, Tehsil and District Bilaspur (CG)
3. General Manager, South Eastern Coal Fields Limited, Area Office Dipika, District Korba (CG) **... Respondents**

For Petitioner	:	Mr. Rupesh Shrivastava, Advocate.
For Respondents	:	Mr. Vaibhav Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/12/2020

1. The relief sought for by the Petitioner in the present Writ Petition is twofold. Firstly, the Petitioner has challenged the inaction on the part of the Respondents in not providing her the dependent employment on the death of her husband who died in harness. The second claim of Petitioner is that even though her husband died on 9.12.2018, the Respondents till date have not processed the death-cum-retiral dues to her which she is entitled for being the wife of the deceased employee.
2. Learned Counsel for Respondents, appearing on advance copy, drew the attention of this Court to the FIR lodged by the mother-in-law of the deceased employee alleging that the deceased employee has died on account of murder committed by the Petitioner.
3. The said FIR has been challenged by the Petitioner before this Court in Cr.M.P. No. 459/2020 and this Court vide its order dated 18.2.2020 has already stayed the effect and operation of the FIR.
4. Be that as it may, since it is a case where the deceased employee has died in harness, the Respondents are required to process the case of the Petitioner both for dependent employment as also for releasing death-cum-retiral dues in accordance with the rules and guidelines governing the field. No appropriate decision as such has been taken by the Respondents till date.

5. Given the facts, the present Writ Petition at this juncture is being disposed of with a direction to the Respondents to take an appropriate decision in accordance with the rules and guidelines governing the field both in respect of dependent employment as also for releasing death-cum-retiral dues to the Petitioner, at the earliest, preferably within a period of 60 days from the date of receipt of this order. Petitioner is also directed to ensure that all the requisite requirements sought for by the employer for processing the claim of the Petitioner for grant of dependent employment be also furnished by the Petitioner without fail.

6. Writ Petition accordingly stands disposed of with the aforesaid.

/Sharad/

Sd/-
(P. Sam Koshy)
JUDGE