

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 806 of 2021

1. Dharam Das S/o Manohar Das Aged About 29 Years R/o Shanichari Bazar, Haldibadi, Chirmiri, District- Koriya, Chhattisgarh.

---Petitioner(s)

Versus

1. South Eastern Coalfields Limited Through Chairman-Cum-Managing Director, South Eastern Coalfields Limited, Head Quarter, Seepat Road, Sarkanda, District - Bilaspur (Chhattisgarh).
2. Director (Personnel) South Eastern Coalfields Limited Head Qtrs, Seepat Road, P.S. Sarkanda, Bilaspur.
3. General Manager Chirmiri Area, P.S. Podi (West Chirmiri), Chirmiri, District- Koriya (Chhattisgarh).
4. Sub Area Manager NCPH Colliery, Chirmiri Area, District- Koriya (Chhattisgarh).
5. Ajay Das S/o Late Manohar Das Aged About 25 Years R/o Godripara, Chirmiri, Police Station- Chirmiri, Tehsil Khadgawan, District- Koriya (Chhattisgarh).

---Respondents

For Petitioner	:	Shri Chandresh Shrivastava, Advocate.
For Respondents 1 to 4	:	Shri Sudhir Bajpai, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25.02.2021

1. Present is a third round of litigation which has been filed by the petitioner seeking for dependent employment.
2. The father of the petitioner working on the post of SDL Operator died in harness on 29.01.2005 and since then the petitioner has been running from pillar to post seeking for dependent employment with the respondents. According to the petitioner, the respondents had also processed the claim of the petitioner but no final decision has been taken so far as employment is concerned. The petitioner, in the post, had initially filed WPS No.547 of 2015 which stood disposed of on 21.12.2015 directing the respondents SECL to take a decision at the earliest. Thereafter there was also a review petition preferred by one of the persons who were aggrieved by the initiation of recruitment process so far as

petitioner herein is concerned i.e. Review Petition No.145 of 2016. The Review Petition also was disposed of as early as on 04.11.2016 directing the respondents SECL to consider the case of both the parties in accordance with terms applicable under National Coal Wage Agreement (in short, NCWA). According to the petitioner, thereafter there seems to be no further development.

3. Given the fact that there is already an order passed by this court in Writ Petition as also in the Review Petition, there is no need for a fresh order to be passed by this court unless the respondents take a decision. The writ petition therefore stands disposed of at this juncture directing the respondents No.2 to 4 to take all necessary steps in ensuring that the claim of the petitioner is decided in accordance with law at the earliest preferably within a period of 90 days from the date of receipt of copy of this order. Meanwhile, the person who had initially objected to the appointment being given to the petitioner, also has given an affidavit to the management that there is no objection on his part if appointment is given to the present petitioner. This fact may also got verified by the management before appropriate decision is taken.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge