

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 139 of 2021**

Smt. Sukriya Singh, W/o Shri Ashok Singh, D/o Late Santosh Singh, aged about 35 years, R/o Sendha, P.O.-Nagpur, P.S.-Podi (West Chirmiri) Tehsil-Manendragarh, District – Koriya (C.G.)

---- Appellant**Versus**

1. South Eastern Coalfields Limited, through Chairman-cum-Managing Director, South Eastern Coalfields Limited, Head Quarter, Seepat Road, Sarkanda, District – Bilaspur (C.G.)
2. Director (Personnel), South Eastern Coalfields Limited head Qtrs, Seepat Road, P.S. Sarkanda, Bilaspur.
3. Chief General Manager, Chirmiri Area, P.S. Podi (West Chirmiri), Chirmiri, District – Koriya (C.G.)
4. Sub-Area Manager, New Chirmiri Pondri Hill Colliery, South Eastern Coal Fields Ltd., Chirmiri Area, Chirmiri, P.S. Chirmiri, District – Koriya (C.G.)

---- Respondents

(Cause-title taken from Case Information System)

For Appellant	:	Mr. Chandresh Shrivastava, Advocate.
For Respondents	:	Mr. Sudhir Kumar Bajpai, Advocate.

Hon'ble Shri Arup Kumar Goswami, Chief Justice**Hon'ble Shri Justice Goutam Bhaduri, Judge****Judgment on Board****Per Arup Kumar Goswami, Chief Justice****23.11.2021**

Heard Mr. Chandresh Shrivastava, learned counsel for the appellant. Also heard Mr. Sudhir Kumar Bajpai, learned counsel appearing for the respondents.

2. This appeal is directed against an order of learned Single Judge dated 17.02.2021 passed in Writ Petition (S) No. 634 of 2021, whereby the learned Single Judge dismissed the writ petition.

3. The writ petition was filed challenging an order dated 23.12.2020 passed by the respondent No. 4 rejecting the application of the petitioner for grant of dependent employment.

4. Santosh Singh, father of the appellant, died-in-harness on 12.04.2009 while working as a 'Loader'. An application was filed by the mother of the appellant seeking employment of the present appellant for grant of dependent employment in her favour. The said application was rejected by an order dated 08.06.2011 on the ground that dependent employment is not extended to a married daughter. The aforesaid order was not put to challenge either by the appellant or by her mother. Instead, the husband of the appellant made an application for dependent employment because of death of his father-in-law. Such prayer was also rejected and the rejection of the prayer was not assailed at any forum. Thereafter, mother of the appellant filed an application for dependent employment, which was also rejected by an order dated 03.02.2013. Subsequently, the mother of the appellant filed another application which came to be rejected on 30.08.2013. The said order was put to challenge in Writ Petition (S) No. 1360 of 2016 and by an order dated 27.02.2017, writ petition was dismissed. The appeal preferred being Writ Appeal No. 181 of 2017 also was dismissed by an order dated 04.05.2018. It is to be noted that the Appellant was a party as one of the petitioners in Writ Petition (S) No. 1360 of 2016 as well as one of the appellants in Writ Appeal No. 181 of 2017.

5. The appellant, thereafter, again filed an application on 14.12.2020, which came to be rejected by the order dated 23.12.2020, which was put to challenge in the writ petition out of which this present appeal arises.

6. In the background of the aforesaid factual events, the learned Single Judge had dismissed the writ petition on the ground that the prayer made by the petitioner having been rejected way back in the year 2011 and the same having attained finality, the appellant cannot again reopen the issue of dependent appointment in the year 2020.

7. In the attending facts and circumstances of the case, we are of the opinion that no interference is called for with regard to order of the learned Single Judge and accordingly, finding no merit, the appeal is dismissed. No cost.

Sd/-
(Arup Kumar Goswami)
Chief Justice

Sd/-
(Goutam Bhaduri)
Judge