

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3010 of 2021

1. Smt. Ched Bai Wd/o. Late Govind Ram Sahu Aged About 58 Years
 2. Premchand Sahu S/o- Late Govind Ram Sahu Aged About 30 Years
 3. Priya Sahu D/o Late Govind Ram Sahu Aged About 30 Years
 4. Annapurna Sahu D/o Late Govind Ram Sahu Aged About 21 Years
- All were R/o. Village and Post Tundari, Ward No. - 13, Dharsapara, Tundari, P.S. and Tahsil - Bilaigarh, District - Baloda Bazar- Bhatapara, Chhattisgarh.

---Petitioner(s)

Versus

1. South Eastern Coal Field Ltd. Through Chief General Manager, Korba Colliery, District - Korba Chhattisgarh.
2. South Eastern Coal Field Ltd. Through Area Manager, Bakimongra, District - Korba, Chhattisgarh.
3. Ishwar Prasad Sahu S/o Late Govind Ram Sahu Aged About 43 Years R/o Banwari Sanie Quarters No. 64/2, Bakimongra, Korba, District Korba Chhattisgarh.

---Respondents

For Petitioners	:	Shri Hemant Gupta, Advocate.
For Respondents	:	None

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17.08.2021

1. The present writ petition has been filed seeking for certain enhancement of the monetary benefits extended to the petitioners from the salary of the respondent No.3.
2. The facts of the case is that, the petitioners are the mother and the petitioners 2 to 4 are the siblings of respondent No.3. The respondent No.3 was granted dependent employment on the death of the Husband of the petitioner No.1 and the father of the petitioners No.2 to 4 and respondent No.3. The respondent No.3 was not taking care of the petitioners inspite of getting dependent employment with a condition of taking care of all the dependants, on the death of the Husband of the petitioner No.1. Thereafter it appears that the petitioners had

approached the Family Court, Korba and where there is an order of payment of Rs.10,000/-per month to the petitioners from the monthly salary of the respondent No.3.

3. Given the fact that there is an order passed by the Family Court, Korba, for payment of an amount of Rs.10,000/- per month, this court at this juncture is of the firm view that the writ petition for the said reason as of now would not be maintainable. The right of the petitioner would be to approach the concerned Family Court seeking for enhancement of the amount ordered or awarded by the Family Court, Korba, vide its order dated 27.08.2019.
4. The writ petition accordingly stands disposed of with the aforesaid liberty.

Sd/-
(P. Sam Koshy)
Judge

inder