

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4863 of 2021

1. Pallavi Mishra Daughter of Late Shri Balmukund Mishra Aged About 22 Years Present Resident At Chandani Chowk Mayapur, Ambikapur, District Surguja (Chhattisgarh).

---Petitioner(s)

Versus

1. South Eastern Coal Field Limited Seepat Road, Bilaspur Through Its Chief Managing Director, Bilaspur, District Bilaspur (Chhattisgarh).
2. General Manager South Eastern Coal Field Limited Vishrampur Area, District Surajpur (Chhattisgarh)
3. Regional Manager (Personnal) South Eastern Coal Field Limited Korba Area, District Korba (Chhattisgarh)
4. Chief Medical Officer SECL Central Hospital Vishrampur, District Surajpur (Chhattisgarh)
5. Smt. Neelam Mishra Widow of Lt. Bal Mukund Mishra Resident of Quarter No. 3, J.M. Colony Vishrampur, P.S. Vishrampur, District Surajpur (Chhattisgarh).

---Respondents

For Petitioner	:	Shri VK Pandey, Advocate.
For respondents	:	Shri Sudeep Agrawal, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.09.2021.

1. The claim of the petitioner through the present writ petition is to consider and decide the grievance of the petitioner where the respondent No.5, the mother of the petitioner, who has got dependent employment under the respondents on the death of the father of the petitioner and the Husband of the respondent No.5.
2. The order of appointment in favour of the respondent No.5 is Annexure P/1 dated 13.03.2020. In the said order of appointment itself it was very specifically reflected that in the event of violating the undertaking given by the respondent No.5 at the time of her appointment by way of an affidavit so far as taking care of her children, the department would be at liberty to

deduct 50 percent of the wages of the respondent No.5 and the said amount would be paid to the petitioner or as the case may be.

3. The petitioner herein has made an allegation that the respondent No.5 subsequent to obtaining dependent employment has now deserted the present petitioner, the daughter, and has started living with some third person and in the process the petitioner has been rendered without any source of income for survival and for which she has approached the respondents-SECL for taking an appropriate action in terms of the order of appointment.
4. Learned counsel appearing for the respondents submits that since the representation of the petitioner in respect of her grievance is pending consideration before the authorities, the writ petition at this juncture may be disposed of directing the respondent authorities to take an appropriate decision in accordance with rules, regulations and guidelines governing the field of dependent employment and also in respect of grievance of the petitioner.
5. Given the said submissions by the counsel for the parties, the writ petition at this juncture stands disposed of directing the respondents No.2 to 4 to take an appropriate decision on the claim of the petitioner at the earliest preferably within a period of 45 days from the date of receipt of copy of this order.

(P. Sam Koshy)
Judge