

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5295 of 2020

1. Subhash Bai W/o Late Toshan Lal Aged About 54 Years R/o Village Dhauratikra, Baikunthpur, District Koriya Chhattisgarh.
2. Asha Bai D/o Late Toshan Lal Aged About 34 Years W/o Devnarayan Rajwade , R/o Village Dhauratikra, Baikunthpur, District Koriya Chhattisgarh.

---Petitioner(s)

Versus

1. South Eastern Coalfields Ltd. Through Chairman Cum Managing Director, South Eastern Coalfields Limited, Head Quarter, Seepat Road, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. General Manager (Personnel/ Mp) South Eastern Coalfields Limited, Head Quarter, Seepat Road, Bilaspur Chhattisgarh.
3. General Manager / Sub Area Manager Charcha Mine R O , South Eastern Coalfields Limited, Post Office Charcha Colliery , District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
4. Deputy Manager (Personnel) Charcha Mine R O , South Eastern Coalfields Limited, Post Office Charcha Colliery, District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---Respondents

For Petitioner	:	Shri Chandresh Shrivastava, Advocate.
For Respondents	:	Shri Vivek Ranjan Tiwari, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15.01.2021

1. The grievance of the petitioner in the present writ petition is rejection of the claim of the petitioner No.2 for grant of dependent employment.
2. The rejection has been on the ground that the petitioner No.1 is a married daughter and therefore she is not entitled for dependent employment. However, it appears that while rejecting the claim of the petitioner the respondents have not take in to consideration the judgment rendered by this court in case of Asha Pandey Vs. South Eastern Coalfields Ltd. & Ors., WPS No.4994 of 2015 which has been affirmed in Writ Appeal No.246 of 2016 and which has also been affirmed by the Supreme Court. The siimilar issues have also been decided by this court in WPS No.9216

of 2019 decided on 11.12.2019 which again has been affirmed by the Division Bench on 25.02.2020 in Writ Appeal No.213 of 2020 and also an order passed by this court in WPS No.3092 of 2013, decided on 10.12.2019 and affirmed in Writ Appeal No.154 of 2020 on 04.03.2020.

3. In the light of the aforesaid authoritative decision by this court and which has been affirmed by the Division Bench as also by the Supreme Court, the case of the petitioner needs to be reconsidered and it is directed that the respondents No.2 to 4 shall take a decision on the claim of the petitioner in the light of the aforementioned judicial pronouncements at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder