

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.3573 OF 2019

Shri Rajkumar S/o Ghanshyam Rangankar
and another

... Petitioners

Versus

Union of India, through its Secretary,
Ministry of Coal, New Delhi, and others

... Respondents

Mr. G.D. Asole, Advocate for Petitioners.

Ms. Mugdha Chandurkar, Advocate, holding for
Mr. U.M. Aurangabadkar, ASGI, for Respondent No.1.

Mr. O.A. Ghare, Advocate for Respondent No.3.

**CORAM : NITIN JAMDAR &
ANIL S. KILOR, JJ**

DATE : 10 FEBRUARY 2021

P.C.:

Heard the learned Counsel for the parties.

2. The Petitioner No.2 has sought appointment on compassionate basis with the Respondent Nos.3 to 5 upon the death of her sister during service. The reliance is placed on the National Coal Wage Agreement-VI dated 5 January 2001, which provides for compassionate appointment. Clause 4.2.2 does not include sister of the deceased-employee.

3. The learned Counsel for the Petitioners states that liberty may be granted to the Petitioners to file a fresh Petition taking the

ground of discrimination, since this instrument has included the brother of the deceased-employee, but has omitted the sister, raising a specific challenge with necessary averments.

4. The Petition is accordingly disposed of with liberty to file a fresh Petition.

(ANIL S. KILOR, J)

(NITIN JAMDAR, J)

Lanjewar

Prashant
Lanjewar

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