



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

WRIT PETITION NO. 3764 OF 2023

MANDAKINI VITHOBA POLE AND ANOTHER

...Vs...

CHIEF MANAGING DIRECTOR, WESTERN COALFIELDS LIMITED, NAGPUR AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Kirti Satpute, Advocate for petitioners.

Shri Pushkar Ghare, Advocate for respondent nos. 2 to 4.

CORAM: ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.

DATED : 11th NOVEMBER, 2025.

The prayer in the present petition is regarding the quashing of communication dated 15/01/2021, by which, the request of petitioner no. 2 for grant of employment as a dependant sister, was rejected by the respondent - Western Coalfields Limited.

2. It is the case of the petitioners that, the reason advanced by the respondents for denying the employment that, the sister of deceased employee cannot claim compassionate appointment, cannot be sustained since the said issue is already decided vide **judgment and order dated 01/03/2023** passed in **Writ Petition No. 1177/2022** by this Court. The following observations in the said judgment would be sufficient for deciding the controversy involved:-

“Hence, for the aforesaid reasons, the impugned communications dated 5/9/2015 in Writ Petition No. 4074/2018 and dated 20/1/2020 in Writ Petition No. 2036/2021 are set aside. The WCL shall re-consider the

respective applications of the petitioners on their own merits. However, the applications shall not be rejected on the ground that the same have been made by a daughter/married sister of the deceased employee. Necessary exercise be completed within a period of six weeks from receipt of copy of the judgment.”

3. The learned counsel for the respondents also fairly states that the issue is covered by way of said judgment dated 01/03/2023.

4. In view of aforesaid observations, we set aside the imputed communication dated 15/01/2021 issued by the respondent no. 4, and direct the WCL to re-consider the application of the petitioners on their own merits. However, the applications shall not be rejected on the ground that, the same have been made by a daughter/married sister of the deceased employee. Necessary exercise be completed within a period of six weeks from receipt of copy of this order.

5. Accordingly, the petition is **disposed of**.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

B.T.K.