IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 94 of 2018

Kiran Kumari, aged about 26 years, Sister of Late Rajendra Oraon, daughter of Late Etwa Oraon, resident of village Bahera Toli, P.O. Chandra, P.S. Ormanjhi, District Ranchi (Jharkhand).

... ... **Appellant**

Versus

1. The Central Coalfields Limited, through its Chairman-cum-Managing Director, having its office at Darbhanga House, P.O. G.P.O, P.S. Kotwali, District Ranchi.
2. Deputy General Manager (P&IR), Central Coalfields Limited, having its office at Darbhanga House, P.O. G.P.O, P.S. Kotwali, District Ranchi.
3. General Manager, N. K. Area, Central Coalfields Limited, P.O Dakra, P.S. Khelari, District Ranchi.
4. Personnel Manager, Dakra Project, Central Coalfields Limited, P.O. & P.S. Khelari, District Ranchi.
5. Staff Officer, N. K. Area, Central Coalfields Limited, P.O. Dakra, P.S. Khelari, District Ranchi.
6. Coal India Limited, having its office at Ranchi, P.O. Ranchi, P.S. Ranchi, District Ranchi. …. **… ... Respondents**

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Appellant : Mr Ankit Vishal, Advocate
For the Respondents : Mr Amit Kumar Sinha, Advocate

Order No.13/ Dated: 03.11.2026
***Per* M.S. Sonak, C.J.**

1. Heard Mr Ankit Vishal for the appellant and Mr Amit Kumar Sinha for the respondents.

2. On 26th October, 2026, we made the following order:

"1. Heard Mr. Arpan Mishra, learned counsel for the appellant and Mr Amit Kumar Sinha, learned counsel for the respondents.

2. Mr Arpan Mishra relied on the decision of the Coordinate Bench dated 16.09.2019 disposing of L.P.A. No. 617 of 2017 and L.P.A. No. 475 of 2017 holding that even a sister of the deceased employee is a dependent and consequently entitled to claim compassionate appointment.

3. Mr. Amit Kumar Sinha, the learned counsel for the respondents submitted that an S.L.P. was filed against the Coordinate Bench's decision dated 16.09.2019 before the Hon'ble Supreme Court i.e. petition for Special Leave to Appeal (C) No. 29678 of 2019. He pointed out that though the impugned order was not interfered with in the peculiar facts and circumstances, the question of law was left open to be examined in some other appropriate matter. He placed on record the Hon'ble Supreme Court's order dated 12.11.2021 disposing of the petition for Special Leave to Appeal.

4. Mr Amit Kumar Sinha placed on record two other decisions of the Coordinate Bench of this Court in the case of ***M/s. Central Coalfields Limited and Others Vs. Sufia Baa****, L.P.A. No. 161 of 2022, disposed of on 23.02.2023 and* ***M/s. BCCL and Others Vs. Helu Nag****, L.P.A. No. 410 of 2022, disposed of on 26.04.2023. He submitted that these decisions have taken the view of the Coordinate Bench's decision dated 16.09.2019 in L.P.A. No. 617 of 2017 and L.P.A. No. 475 of 2017, were per in curium. He further submitted that the Coordinate Bench have now held that a sister cannot be held to be a dependent under the compassionate employment scheme of the CCL.*

5. Mr Arpan Mishra request a short adjournment to consider the decisions cited by Mr Amit Kumar Sinha. Accordingly, this matter is now posted on 03.11.2026, High on Board."

3. The Co-ordinate Bench in L.P.A. No.617 of 2017 and L.P.A. No. 475 of 2017 had held that even a sister qualifies as a dependent under the compassionate employment scheme of the CCL. The CCL challenged the aforesaid judgment and order dated 16.09.2019 in L.P.A. No.475 of 2017 before the Hon'ble Supreme Court vide Petition(s) for Special Leave to Appeal (C) No(s).29678 of 2019, which was disposed of by the Hon'ble Supreme Court on 12.11.2021 by making the following order :

"SLP(C) No.29678/2019

We have heard learned counsel for the parties and find no reason to interfere in the peculiar facts and circumstances.

Accordingly, the Special Leave Petition is dismissed. The question on law left open to examine in some other appropriate matter. Pending application(s), if any, shall stand disposed of."

4. Thus, it is apparent that the question of law decided by the Co-ordinate Bench *inter alia* in L.P.A. No.475 of 2017 could not be said to have attained finality. This Court, could therefore, not be precluded from considering this question in any other appropriate matter, including the present matter.

5. However, yet two other Co-ordinate Benches in the cases of ***M/s. Central Coalfields Limited and others Vs. Sufia Baa***, in L.P.A. No.161 of 2022, disposed of on 23.02.2023 and ***M/s. BCCL and others Vs. Helu Nag*** in LPA No.410 of 2022, disposed of on 26.04.2023 has held that the view of the Co-ordinate Benches' decision in L.P.A. No.617 of 2017 and L.P.A. No. 475 of 2017 were *per in curium*. These two Co-ordinate Benches now held that a sister cannot be held to be a dependent under the compassionate employment scheme of CCL.

6. Therefore, by following the reasoning in decisions of the Co-ordinate Benches in ***M/s. Central Coalfields Limited (supra)*** and ***M/s. BCCL (supra)***, we dismiss this appeal without any order for costs.

7. If there are any I.As pending, they will not survive and are disposed of.

(M. S. Sonak, C.J.)

(Manoj Prasad, J.)

November 3rd, 2026
BS/Madhav/-