IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 6405 of 2017

Lakhan Karmali, S/O Late Arjun Karmali, Resident of Village Pochra, P.O. Barkakana, P.S. Gutwa, District Ramgarh, Jharkhand.

.... …. Petitioner(s)

Versus

1. Coal India Limited, Government of India undertaking through the General Manager (M), Central Coalfields Limited Bhurkunda Colliery, AT +P.O. Bhurkunda District Ramgarh.
2. Dy. General Manager (P), (Coal India Limited) Central Coalfields Limited, Bhurkunda Colliery, At P.S. & P.O. Bhurkunda, District Ramgarh. .... Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner(s) : Mrs. Nanda Kumari, Advocate
For the Respondent(s) : Mr. Vikash Kumar, Advocate

Order No.06/Dated: 27.10.2026

1. Heard learned counsel for the parties.

2. The present writ petition has been filed by the petitioner for grant of compassionate appointment claiming himself to be son of the first wife of the deceased workman.

3. From the argument and pleading of the parties, it appears that the father of the petitioner was employee of the Central Coalfields Limited (C.C.L.) and he has joined the service on 12.03.1979 and died in harness on 10.01.2010.

4. It has been claimed that the petitioner's date of birth is 15.07.1990 and in his support he has produced the school leaving certificate, ration card and medical card claiming himself to be the son of the deceased employee through first wife.

5. It further appears that the claim of the petitioner had already been rejected vide letter dated 03.08.2011 having Ref. No. GM/PO-BHK/PS/9.3.0/11/3965 (Annexure-5). Relevant portion of the said letter is quoted herein below: -

> *"Your application from dated:- 24.12.2010 along with all relevant documents for providing employment to your Son Sri Lakhan Karmali Under Para 9.3.0 of NCWA. The above said application scrutiny by the committee and found that the petitioner's name does not appears in any relevant documents as per check list/ Company guideline. You are hereby advised to accept monetary compensation in lieu employment."*

6. It has been submitted by learned counsel for the petitioner that it is nothing but compassion and since the applicant's claim has wrongly been rejected by assigning the reason that the name of the petitioner does not appears in the service record which is illegal. Service record cannot determine the parentage of an individual person.

7. A counter-affidavit has been filed by the respondent-CCL wherein the entire documents has been brought on record suggesting that in none of the service record, the name of this petitioner appears as a son of the deceased workman. The name of the first wife appears in the said record who has died in year 1995 while the petitioner has taken birth in the year 1990 and the deceased employee has died in the year 2010. The name of this petitioner is not found in any service record.

8. It has been submitted by learned counsel for the respondent-CCL that as per the service record, this petitioner is not related with the deceased employee and no other acceptable record has been brought to the notice suggesting that the petitioner is a son of the deceased employee.

9. Having heard the learned counsel for the parties and after perusal of the record, it appears that the service record does not contain the name of this petitioner and in such a scenario, only option available is to obtain the proper certificate through process of the Civil Court and then only the claim could have been made. Further, in the present case, admittedly, there is a second wife and children and from the second wife also, none of them have been made party in the present writ petition. Further, the claim has been rejected in the year 2011 while the present writ petition has been filed in the year 2017 and as such, the very purpose of the compassionate appointment gets frustrated.

10. In view of above discussion, this Court finds no reason to entertain the present writ petition and accordingly, the same is hereby dismissed.

11. However, the petitioner and other claimants are at liberty to take necessary steps for other service benefit if available under the law.

(**Rajesh Kumar, J.**)

27.10.2026
Vedanti/
Uploaded on 30.10.2026