IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 6379 of 2018

.....

Sarita Khalkho @ Sarita Kumari, aged about 43 years, Permanent resident: D/o Late Budhuwa Khalkho, @ Budhuwa Uranv; village- Kanjiya Chala Toli, H.No.-24, P.O. & P.S. Mandar, District- Ranchi. Present Address: W/o Ajay Khalkho, At Referral Hospital, Navinagar, P. O. & P.S. Navinagar, District- Aurangabad (Bihar).

.... **Petitioner(s)**

-VERSUS-

1. M/s Bharat Coking Coal Ltd., a Company registered under the Companies Act, having its head office at Koyala Bhawan, Koyala Nagar, P.S.- Seraidhela, District- Dhanbad, through its Chairman
2. The General Manager, Damoda Colliery BCCL, P.O.- & P.S.- Karmatand, District- Bokaro.
3. The Manager (H.R./P), Damoda Colliery- BCCL, P.O. & P.S.- Karmatand, District- Bokaro.
4. Smt. Abha Khalkho, W/o Late Budhuwa Khalkho, Resident of village- Kanjiya Chala Toli, H.No.-24, P.O. & P.S. Mandar, District- Ranchi.

.....Respondent (s)

.....

CORAM: **HON'BLE MR. JUSTICE DEEPAK ROSHAN**

For the Petitioner(s) : Mr. Vijay Shankar Jha, Adv
For the Respondent (s) : Mr. Indrajit Sinha, Adv
For the Res. No. : Mr. Deepak Sahu, Adv

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05/19.01.2026

1. The instant writ application has been preferred by the petitioner praying for a direction upon the concerned respondent to pay the share amount of CMPF (Coal Mines Provident Fund) to this petitioner which was contributed by the father of the petitioner who died on 07.04.2009.

2. At the outset, learned counsel for the petitioner produced an order dated 06.03.2025 passed by the Court of Civil Judge Sr. Div I cum Commercial Court at Dhanbad, in

Succession Case No. 52 of 2019. The same is taken on record.

3. Learned counsel, while drawing attention to the aforesaid order passed by the concerned court, submits that the respondent No.4 had filed a succession case before the Court in which the petitioner was also a party respondent and the said case has been decided vide aforesaid order; wherein the petitioner has also been given 1/4th of the share.

4. For the sake of brevity, the cause title, including the name of the parties and the operative portion of the order, is extracted hereinbelow: -

IN THE COURT OF
Civil Judge Sr Div I cum Commercial Court at Dhanbad
Presided Over by :-Rajiv Tripathi
J.O.Code.-JH00589

Succession Case No. 52/2019
Dated, Dhanbad, the 06th day of March, 2025

1. Abha Khalkho
Aged about-53 years
W/o Late Budhwa Khalkho
Aadhar No.- 4704 0415 7562
Mobile No. 7004703365
2. Mukul Khalkho
Aged about-27 years
S/o Late Budhwa Khalkho
3. Neha Khalkho
Aged about-23 years
D/o Late Budhwa Khalkho
All are R/o Dugdha BCCL, Colony
Dugdha, P.O. + P.S.- Dugdha,
Bokaro, Jharkhand ***..... Applicants***

Versus

1. Sarita Khalkho
W/o Sri Ajay Edwin
W/o Late Budhwa Khalkho
R/o Referral Hospital,
Nabinagar, P.O. + P.S. Nabinagar
District-Aurangabad (Bihar)
2. The General Public
of Dugdha BCCL, Colony,
Dugdha, P.O. + P.S. Dugdha,
Bokaro (Jharkhand) ***..... Opposite Party***

Counsel on behalf of the Applicant :- 1. Sri K.K.Tiwari, Ld. Adv.
2. Srikant Verma, Ld. Adv.
Counsel on behalf of the O.Ps. :- 1.Sri Suresh Prasad, Ld. Adv

JUDGMENT

"1……

O R D E R E D

i)-that Let a succession certificate be issued in the name of the applicant ***Abha Khalkho (applicant no. 1)*** *is entitled* ***3/4th share*** *amounting of* ***Rs. 14,93,472/- (Rupees Fourteen Lakh Ninety-Three Thousand Four Hundred Seventy-Two)*** *whereas* ***Opposite party no. 1*** *shall be entitled to* ***1/4th share*** *of the total amount* ***i.e. Rs. 4,97,824/- (Rupees Four Lakh Ninety Seven Thousand Eight Hundred Twenty Four) The applicant is further directed to furnish an indemnity bond of Rs. 14,93,472/- (Rupees Fourteen Lakh Ninety Three Thousand Four Hundred Seventy Two) along with two recent passport size photographs*** *with 4 Of 5 Succession Case No. 52 of 2019 an undertaking to produce the said amount in Court at once if any dispute arises in future with regard to amount mentioned in Schedule.*

ii)-Nazir is directed to procure the court fee stamp for preparing the succession certificate on the stamp paper by purchasing it from the amount deposited by the applicant vide Challan No. 49 dated 13.06.2022.

iii)-In the result, the application for grant of succession certificate is hereby allowed with the aforesaid observation and conditions."

5. Having regard to the aforesaid development, interest of justice would be sufficed by directing the parties to approach the concerned office of CMPF who shall act in accordance with the CMPF scheme read with the order passed in Succession Case No. 52 of 2019.

Since it is a case of provident fund; as such the entire exercise shall be completed by the concerned officer within a period of 8 weeks from the date of receipt of copy of this order.

6. Accordingly, the instant writ application stands disposed of.

(Deepak Roshan, J)

19.01.2026

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Uploaded
28.01.2026