



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

WRIT PETITION NO. 3456 OF 2025

Manda wd/o Keshav Somalkar and Anr.

Vs.

Western Coal Fields Limited (WCL), Thr. Chairman-Cum-Managing
Director, Nagpur and Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Syed Owais Ahmed, Advocate for the Petitioner.
Mr. Pushkar Ghare, Advocate for Respondent Nos.1 and 2.
Mr. A.V. Palshikar, AGP, for the Respondent-State.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 26th MARCH, 2026.

1. The prayer in the present petition is regarding the quashing of communication dated 02/05/2025, by which, the request of petitioners for grant of employment as a dependant daughter to petitioner No.2, 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 married daughter 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 impugned communication dated 02/05/2025 issued by the respondent No.2, 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 married daughter 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. No costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)