
(2016) 08 JH CK 0008

JHARKHAND HIGH COURT

Case No: Writ Petition (S) No. 4158 of 2016

Shreekant Kumar Singh

APPELLANT

Vs

Eastern Coalfields Limited

RESPONDENT

Date of Decision: Aug. 1, 2016

Acts Referred:

- Constitution of India, 1950 - Article 226

Citation: (2017) 1 JBCJ 53

Hon'ble Judges: Mr. Ananda Sen, J.

Bench: Single Bench

Advocate: Mr. Lakhan Chandra Roy, Advocate, for the Petitioner; Mr. Rajesh Lala, Advocate, for the Respondents

Final Decision: Disposed Off

Judgement

@JUDGMENTTAG-ORDER

Mr. Ananda Sen, J. - The father of the petitioner, Yugal Kishore Singh was employee of Eastern Coalfields Limited, who died in harness on 07.04.2015. This petitioner, the son, applied for compassionate appointment, and said application is still pending.

2. Counsel for the petitioner submits that because of the death of the father, who was the sole earning member of the family, the entire family is in distress. He submits that he is looking after his old grand mother and other dependent family members also. He claims, that as the application of the petitioner has not been disposed and he has not been provided with an employment, he is suffering huge loss. He further submits that the death cum retiral benefits have also not been paid to the legal heirs of the deceased.

3. Counsel for the Eastern Coalfields Limited, submits that the application of the petitioner will be considered as per the provisions of National Coal Wage Agreement and thereafter an appropriate order will be passed at the earliest.

4. Having regard to the submissions made by the parties, I direct the petitioner to approach the respondent no.6 within a period of four weeks from today. The petitioner will submit his application for compassionate appointment on proper format along with all necessary documents before the respondent no.6. On receipt of such application, respondent no. 6 should take all endeavour so that the application can be processed and a decision on the appointment can be arrived at within a period of eight weeks, thereafter. If the petitioner is entitled to be appointed, appointment letter should be issued to him within a period of three weeks thereafter.

5. So far as the death cum retiral benefits are concerned, the respondent no. 5, will take all endeavours to see that the death cum retiral benefits of the deceased is disbursed to the legal heirs or the nominee within a period of 12 weeks from the date of receipt of a copy of this order.

6. The legal heirs of the deceased should cooperate with the officers of the Eastern Coalfields Limited, so that the death cum retiral benefits of late Yugal Kishore Singh can be disbursed to the legal heirs within a period of 12 weeks thereafter. If any adverse order is passed on the representation of the petitioner, the same should be communicated to the petitioner with reason within the said period.

7. With the aforesaid observations, this writ application is disposed.