

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 7336 of 2019

Pramod Kumar, son of late Ramwadan Rawani, resident of village Kachi Balihari, P.O. Kusunda, P.S. Puti District-Dhanbad

..... Petitioner

Versus

1. M/s Bharat Coking Coal Limited through its Chairman-cum-Managing Director, Dhanbad
2. The Director (P&IR), BCCL, Dhanbad
3. The General Manager (P&IR), BCCL, Dhanbad
4. The Chief Personnel Manager (NEE/R), BCCL, Dhanbad
5. Sr. Manager (P), MP & R, BCCL, Dhanbad
6. The Area Personnel Manager, BCCL, Dhanbad
7. The General Manager, P.B. Area, BCCL, Dhanbad
8. Deputy Manager (P), MP & IR, BCCL, Dhanbad
9. Personnel Manager, 10/12 Pits, K.B, Colliery, BCCL, Dhanbad
10. Project Officer, K.B. 10/12, Pits Colliery, BCCL, Dhanbad

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

 For the Petitioner : Mr. Ashish Kumar Thakur, Advocate

For the Respondent-B.C.C.L : Mr. A. K. Mehta, Advocate

06/Dated: 25/06/2020

1. Heard Ashish Kumar Thakur, learned counsel appearing on behalf of the petitioner and Mr. A. K. Mehta, learned counsel appearing for the respondent-B.C.C.L.
2. This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.
3. Petitioner has preferred this writ petition for direction upon the respondents to consider the petitioner's representation for compassionate appointment.
4. Mr. Ashish Kumar Thakur, learned counsel appearing for the petitioner submits that the case of the petitioner is in active consideration in view of Annexure-11 and in that view of the matter, the respondent-BCCL may

be directed to consider the case of the petitioner.

5. Mr. A.K. Mehta, learned counsel for the respondent-BCCL submits that the claim of the petitioner for compassionate appointment was rejected on 13.07.2007 and now almost 13 years have passed, thereafter petitioner is coming forward before this Court with prayer to consider the case of the petitioner which amounts to fresh cause of action. He further submits that the said rejection order is not under challenge.

6. It is well-settled provision of law that compassionate appointment is concession but not a right. The same can be considered only in accordance with Rules, Regulations and Guidelines of the concerned respondent. The petitioner has approached the Court after 13 years of the rejection of his claim and rejection order is not under challenge, no case of interference is made out. Accordingly, the writ petition is dismissed.

(Sanjay Kumar Dwivedi, J.)

Satyarthi/