

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**W.P.(S) No. 4408 of 2019**

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Bindu Kumari, aged about 25 years, D/o late Ramkrit Prasad, r/o Village  
Bhim Kanali, Khanoodi, PO Nudkhurkee, PS Baghmara, District Dhanbad

..... **Petitioner**

**Versus**

Bharat Coking Coal Limited and Ors.

..... **Respondents**

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**CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**

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For the Petitioner : Mr. Rishi Pallava, Advocate

For the Respondent-BCCL : Mr. Anoop Kumar Mehta, Advocate

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**3/ Dated: 24/07/2020:**

Heard Mr. Rishi Pallava, the learned counsel for the petitioner and Mr. Anoop Kumar Mehta, the learned counsel for the respondent BCCL.

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.

This writ petition has been filed for a direction to appoint the petitioner on the compassionate ground under NCWA-9.

Mr. Pallava, learned counsel for the petitioner submits that the father of the petitioner died on 31.05.2013. He further submits that the petitioner has already been filed the representation for appointment but nothing has been done as yet. He submits that this fact has been disclosed in paragraph 15 of the writ petition.

Mr. Mehta, the learned counsel for the respondent BCCL has vehemently opposed the prayer of the petitioner and submits that the petitioner has approached this Court after lapse of six years and in that view of the matter the compassionate appointment order may not be passed by this Court.

This Court has considered the statement made in paragraph no.15 of the writ petition wherein it has been stated that no decision has been taken as yet by the respondent BCCL. There is provision of compassionate appointment under the NCWA. Thus, it requires to be

considered by the respondent BCCL as to whether the petitioner is entitled for the same benefit or not. In that view of the matter, the petitioner is directed to file a fresh representation before the respondent no.3-General Manager (Personnel), Barora Area-I, BCCL within three weeks. If such a representation is filed within the aforesaid period, the said respondent shall take a decision in accordance with the rules, regulations and guidelines of the NCWA -9 and will pass the appropriate reasoned order within 8 weeks thereafter.

With the aforesaid direction, the writ petition [W.P.(S) No. 4408 of 2019] stands disposed of.

I.A. if any also stands disposed of.

**(Sanjay Kumar Dwivedi, J.)**