



IN THE HIGH COURT OF JHARKHAND AT RANCHI 2023:JHHC:18446-DB
L.P.A. No. 326 of 2022

1. Central Coalfields Limited, through its Chairman-cum-Managing Director, Darbhanga House, Ranchi and also through its General Manager (Legal) Sri Partha Bhattacharjee
2. The Director (Personnel), Central Coalfields Limited, Darbhanga House, Ranchi
3. The General Manager (P&IR), Central Coalfield Limited, Darbhanga House, Ranchi.
4. The General Manager (MP& Rectt.), Central Coalfield Limited, Darbhanga House, Ranchi
5. The Ch. Manager (Pers.)/MP, Central Coalfields Limited, Darbhanga House, Ranchi
6. General Manager, Argadda Area, Central Coalfield Limited, Argadda, Ramgarh.
7. Project Officer, Argadda Colliery, Central Coalfield Limited, Argadda, Ramgarh.
8. The Staff Officer, Argadda Colliery, Central Coalfield Limited, Argadda, Ramgarh.
9. Mines Superintendent, Argadda Colliery, Central Coalfield Limited, Argadda, Ramgarh.

... Respondents/ Appellants

Versus

Biro Devi ... Writ Petitioner /Respondent

**CORAM: SRI SANJAYA KUMAR MISHRA, C.J.
 SRI ANANDA SEN, J.**

For the Appellants: Mr. Amit Kumar Das, Advocate
 For the Respondent: Mr. Rahul Kumar, Advocate
 Mr. Deen Bandhu, Advocate

05/Dated: 15.05.2023

Upon hearing the learned counsel for the parties, this Court passed the following, (Per, Sanjaya Kumar Mishra, C.J.)

ORDER

I.A. No. 4073 of 2023

1. This Interlocutory Application has been filed under Section 5 of the Limitation Act for condoning the delay of 127 days in preferring the appeal.
2. It is stated that because of the fact that certain inquiry had to be made and documents were to be collected, the appeal has been filed late but, it is not deliberate or intentional.



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3. In that view of the matter, delay of 127 days in filing the Letters Patent Appeal is, hereby, condoned.

4. Accordingly, I.A. No. 4073 of 2023 stands allowed.

L.P.A. No. 326 of 2022

1. By filing this intra-court appeal under clause 10 of the Letters Patent, the appellants being Central Coalfields Limited through its Chairman-cum-Managing Director and others have assailed the order passed by the learned Single Judge on 21.03.2022 in W.P.(S) No. 3241 of 2021 whereby, the application filed by the private respondent, namely Biro Devi, for rehabilitation assistance/appointment on compassionate ground has been allowed.

2. It is not disputed that her husband was employed with the appellants but, the dispute is regarding his death in harness. Admittedly, the dead body of the deceased was never put to any post mortem examination. In fact, he was living away from his family for some times in a nearby village and she was informed that her husband has died and from his wearing apparels, which were preserved by villagers, she could come to know that the person died is in fact her husband. In order to prove her case, the petitioner, respondent herein, has relied upon the death certificate issued by the Gram Panchayat, Pesrar but, it has been signed by the Panchayat Sewak, who is stated to be Class-III employee. Once this issue is decided, then there is no difficulty in carrying out the orders of the learned Single Judge.

3. Hence, we dispose of the Letters Patent Appeal with the observations that while reconsidering the case of the petitioner, the Central Coalfields Limited may make adequate enquiry regarding the genuineness of the death certificate relied upon by the private



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respondent who happens to be the widow of the deceased employee. If any such document has not been issued by the Gram Panchayat or is issued by an employee who does not have the jurisdiction to issue, then appropriate steps may be taken in accordance with law. The entire process shall be completed within 45 days from today.

4. With such observations and directions, this Letters Patent Appeal stands disposed of.
5. There shall be no orders as to costs.
6. Pending application, if any, stands disposed of.
7. Grant urgent certified copy of this order as per the Rules.

(Sanjaya Kumar Mishra, C.J.)

(Ananda Sen, J.)