

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 4058 of 2022

1. Bhadu Mahato, wife of late Bhim Narayan Mahato, resident of Tata Sijua, Near Shiv Mandir, Shiv Mandir Basti, Belatanr, P.O and P.S. Belatanr, District- Dhanbad.
2. Bijit Kumar Mahato, son of late Bhim Narayan Mahato, resident of Tata Sijua, Near Shiv Mandir, Shiv Mandir Basti, Belatanr, P.O and P.S. Belatanr, District- Dhanbad. .. Petitioner(s)

Versus

1. Coal India Limited, having office at 10, Netaji Subhas Road, P.O GPO, P.S. Hare Street, Kolkata 700001 through its Chairman.
2. Bharat Coking Coal Limited, a subsidiary of Coal India Limited and a Public Sector Undertaking, office at Koyla Bhawan, Koyla Nagar, P.O and P.S. Koyla Nagar, District Dhanbad, through its Chairman-cum-Managing Director.
3. The Chief Manager (Personnel) MP & R/Admin, Bharat Coking Coal Limited, office at Koyla Bhawan, Koyla Nagar, P.O and P.S. Koyla Nagar, District Dhanbad
4. The Senior Manager (Personnel), Bharat Coking Coal Limited, office at Sijua Area, P.O and P.S. Sijua, District- Dhanbad.
5. The Area Manager (Personnel), Bharat Coking Coal Limited, Sijua Area, P.O and P.S. Sijua, District- Dhanbad.
6. The Deputy Manager (Personnel), Bharat Coking Coal Limited, office at Sijua Area, P.O and P.S. Sijua, District- Dhanbad.
7. The Project Officer, Loyabad Colliery, Bharat Coking Coal Limited, P.O and P.S. Loyabad, District- Dhanbad. ...Respondent(s)

CORAM : SRI ANANDA SEN, J.

For the petitioner(s): M/s Rohit Roy, Tarun Kr. Mahato and
Roshan Kr. Singh, Advocates.
For the Respondents Mr. Rajesh Lala, Advocate.

06/21.01.2026: Heard the parties.

2. This is a case for grant of compassionate appointment. Admittedly the father of petitioner No. 2 died in harness on 8.2.2010 while working under the respondents. The elder brother of the petitioner No. 2 applied for compassionate appointment on 19.1.2011, who was handicapped. His application for grant of compassionate appointment was rejected on 27.6.2016 on the ground that his educational certificate was fake and also he was also declared unfit to work twice. Thereafter, no action was taken by the elder brother of the petitioner No. 2 challenging the said order. The petitioner No. 2 after two years from the said rejection, in 2018 applied for grant of compassionate appointment, which was rejected by the impugned order.

3. The Hon'ble Supreme Court while dealing with the cases of compassionate appointment, in the case of **State of West Bengal Vs. Debabrata Tiwari and Ors.** reported in **(2025) 5 SCC 712** has held that the delay defeats the claim of compassionate appointment.

4. In a very recent decision delivered in the case of **the Director of Town Panchayat and Ors. Vs. M. Jayabal and Anr.** reported in **(2025) SCC OnLine SC 2794 and Ors.**, the Hon'ble Supreme Court after considering the judgment delivered in the case of **Umesh Kumar Nagpal and Ors. Vs. State of Haryana** and several other cases, has held that the compassionate appointment is not a right. The Hon'ble Supreme Court has also held that when a family has survived for a considerable period, there is no necessity to grant compassionate appointment.

5. In this case, admittedly, the father of the petitioner No. 2 died in the year 2010 and the deceased family has survived more than fifteen years.

6. Thus, considering what has been observed above, the prayer for grant of compassionate appointment of the petitioner No. 2 is **rejected**.

7. So far as payment of monetary compensation to the widow of the deceased (petitioner No.1) is concerned, she may approach the respondents claiming the same, which will be considered on its own merit within a period of eight weeks from the date of receipt of a copy of this order along with representation. If it is found that she is entitled for any amount as monetary compensation, the same should be paid to her at the earliest.

8. Accordingly, this petition stands **disposed of**.

9. Pending interlocutory application, if any, also stands disposed of.

21st January, 2026

Anu-Cp2.

Uploaded on: January 28, 2026

(ANANDA SEN, J.)