

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 7028 of 2023

Md. Saffique	...	...	Petitioner
Versus			
The Central Coalfields Limited and Ors.	...	...	Respondents

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner	: Mr. Nand Kishore Prasad Sinha, Adv.
For the Respondents	: Mrs. Vandana Singh, Advocate
For the CMPF	: Mr. Prashant Vidyarthi, Adv.
	: Mr. Romit Kumar, Adv.

02/13.02.2024

Learned counsels for the parties are present.

2. Learned counsel for the petitioner submits that the petitioner was granted voluntary retirement as back as on 30.08.1999 as per the order contained in Annexure – 1; except the voluntary retirement scheme amount, no other benefit has been paid to the petitioner. While answering the question as to why the petitioner did not approach this Court earlier, the learned counsel for the petitioner has submitted that the petitioner has been representing before the authorities, but no decision was taken.

3. However, from the representation dated 05.10.2023, it is apparent that the petitioner has himself mentioned in the representation that the connected records are not available.

4. The learned counsel has referred to paragraph no.6 of the writ petition to submit that the petitioner was working in Tapin South Colliery and thereafter Tapin South Colliery has merged in Tapin North Open Cast Project, but the area office as Hazaribag Area of Central Coalfields Limited was the same. He submits that if the respondents would look for the record the same could be made available and the legitimate dues of the petitioner relating to his service benefits be provided.

5. The learned counsel for the respondents has submitted that the case suffers from enormous delay and laches; mere filing of representation is not sufficient. She has also submitted that the question of giving any benefit to the petitioner would arise only if the records are available. She has also assured this Court that appropriate

efforts will be taken to trace out the records before filing a counter-affidavit in the case.

6. The learned counsel for the respondents is directed to seek instructions and file counter-affidavit by 18.03.2024.

7. Post this case on 19.03.2024 under the heading for 'Admission'.

(Anubha Rawat Choudhary, J.)

Saurav