
(2017) 06 JH CK 0003
In the Jharkhand High Court
Case No : 1665 of 2017

Faiyaz Ansari

APPELLANT

Vs

Najmoon Nisha

RESPONDENT

Date of Decision : 08-06-2017

Acts Referred:

Citation : (2017) 06 JH CK 0003

Hon'ble Judges : H.C. Mishra, Ratnaker Bhengra

Bench : DIVISION BENCH

Advocate : Brij Bihari Sinha, Indrajit Sinha

Judgement

1. Father of the petitioner was employed in the Raw Materials Division of the respondent Steel Authority of India Limited. In the year 2008, he was diagnosed with kidney ailments and he underwent kidney transplantation in the year 2010. However, he could not recover and he also suffered from other connected diseases and ultimately, by his application, as contained in Annexure-5 to this writ application, which was received by the respondents on 11.05.2012, he opted for medical invalidation, since he was suffering from chronic renal failure, and he requested the management to provide employment to his son, i.e., this petitioner. However, before the said application could be considered by the respondents, father of the petitioner died only few days thereafter, i.e., on 17.05.2012. Petitioner's prayer for compassionate appointment was thereafter rejected by the Steel Authority of India Limited and the petitioner also moved before the Central Administrative Tribunal, which rejected the application of the petitioner.

2. It is an admitted fact that the entire medical expenses of the father of the petitioner was borne by the respondent Steel Authority of India Limited.

3. Without going into the merits of the case, at this stage, we are of the prima facie view that the petitioner has been wrongly denied the compassionate appointment by the Steel Authority of India Limited. Similar matters have also

been decided by the Division Bench of this Court and the judgments have been brought on record. We are of the considered view that the case of the petitioner requires reconsideration on humanitarian grounds.

4. Learned counsel for the Steel Authority of India Limited is directed to seek instructions in this regard so that, if necessary, the matter may be referred to the next National Lok Adalat going to be held on 8th July, 2017.

5. At the request of learned counsel for the Steel Authority of India Limited, put up this matter on 22nd June, 2017.

6. Let a copy of this order be given to the learned counsel for the respondents for needful.