

**(2012) 04 JH CK 0164**  
**In the Jharkhand High Court**  
**Case No : Writ Petition (S) No. 3843 of 2009**

Rajendra Bhuia

APPELLANT

Vs

Central Coalfields Limited and others

RESPONDENT

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**Date of Decision :** 03-04-2012

**Acts Referred:**

**Citation :** (2012) 04 JH CK 0164

**Hon'ble Judges :** Dhirubhai Naranbhai Patel, J

**Bench :** Single Bench

**Advocate :** Om Prakash Prasad, for the Appellant; Ananda Sen and K. Panda, for the Respondent

**Final Decision :** Allowed

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## Judgement

D.N. Patel, J.—Counsel for the petitioner submitted that the present petitioner is seeking compassionate appointment and the respondents have not given compassionate appointment only on the ground that there is a discrepancy of the age of the petitioner and looking to the discrepancies in the service record maintained by the respondents of the father of the present petitioner. Counsel for the respondents submitted that looking to annexure-4 read with Annexure-8 (which is annexed with the supplementary affidavit filed by the petitioner), the case of the petitioner should be referred to the Medical Board before any decision on the compassionate appointment is taken by the respondents and, therefore, it is submitted by the counsel for the petitioner that let a suitable direction be given to the respondents to constitute a Medical Board for verification of the age of the present petitioner and taking a fresh decision on the compassionate appointment to be given to the present petitioner.

2. After hearing the counsel for both sides and looking to the fact that this writ petition is of the year 2009 and no counter affidavit has been filed by the respondents and looking to annexure-4 and annexure-8 of the writ petition as also of the supplementary affidavit, I hereby direct the respondents to send the case of the present petitioner before the Medical Board after constituting a

Medical Board by the respondents to verify the age of the present petitioner and thereafter, take a fresh decision on the compassionate appointment to be given to the petitioner in accordance with law, rules, regulations, policies and Government enforceable orders, applicable to the petitioner as expeditiously as possible and practicable, preferably within a period of four weeks, from the date of receipt of a copy of an order of this Court and if the decision is taken in favour of the present petitioner, the benefit of the decision will be extended to the petitioner within four weeks thereafter. In view of the above directions, this writ petition is allowed and disposed of.