

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W. P. (S) No. 3153 of 2017

Sunita Devi, W/o Late Lakshmi Narayan Singh, resident of Qr. No. N/19, Sudamdih Main Colony, P.O. and P.S Sudamdih, District-Dhanbad
.... **Petitioner**

Versus

1. Bharat Coking Coal Limited through its Chairman cum Managing Director, Loyla Bhawan, P.O. Koyla Nagar, P.S. Saraidhella, District- Dhanbad
2. Director (Personnel), Bharat Coking Coal Limited, Koyla Bhawan, P.O. Koyla Nagar, P.S. Saraidhella, District- Dhanbad
3. General Manager (P & IR), Bharat Coking Coal Limited, Koyla Bhawan, P.O. Koyla Nagar, P.S. Saraidhella, District- Dhanbad
4. General Manager, Eastern Jharia Area, Bharat Coking Coal Limited, P.O. Bhowra, P.S. Bhowra, District- Dhanbad
5. Project Officer, A.S.P. Colliery, Sudamdih, Bharat Coking Coal Limited, P.O. and P.S. Sudamdih, District –Dhanbad

.... **Respondents**

CORAM : HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Petitioner	: Mr. Amrendra Pradhan, Adv.
For the BCCL	: Mr. Amit Kr. Sinha, Adv.

04/30.11.2017 In the counter-affidavit, the respondents have produced a copy of letter dated 25.11.2017 by which provisional employment to the petitioner has been offered. Mr. Amit Kr. Sinha, the learned counsel for the respondent-BCCL states that in view of a dispute raised by the son of the employee- Laxmi Narayan Singh, alleging that his mother- Sunita Devi has already died and he has produced a death certificate also, only provisional employment can be offered. He states that, however, there are other documentary evidences which indicate that the petitioner-Sunita Devi is still alive. In the aforesaid facts, a letter for provisional appointment has been issued to the petitioner, for three months.

2. Subject to verification of identity of the petitioner, the provisional appointment letter dated 25.11.2017 is accepted. The

petitioner shall be permitted to join her duties, however, until by conclusive evidence it is not established that the petitioner is not the person who was married to the deceased employee namely, Laxmi Narayan Singh, she shall not be removed from service irrespective of term of three months indicated in the appointment letter dated 25.11.2017.

3. The writ petition stands allowed, in the aforesaid terms.

(Shree Chandrashekhar, J.)

R.K.