

OD 2

WPO 332 of 2020

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

JOTI DEVI KHOYRA @ JATI DEVI KHOYRA
VERSUS
M/S. EASTERN COAL FIELDS LIMITED AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR
Date : 20th October, 2020.

APPEARANCE:
Ms. Alakananda Das,Adv.
Mr. Meghnad Dutta,Adv.
Mr. Pranit Bag,Adv.
Ms. Pritha Basu,Adv.

Mr. Manik Das,Adv.

The Court:- The petitioner's husband is a deceased employee of Madhujore Colliery (ECL), Kajera area who died in harness on October 28, 2000. The petitioner prayed for compassionate appointment. However, the authorities could not grant employment on compassionate grounds to the petitioner. Thus, thereafter the petitioner has claimed monetary compensation in lieu of employment in terms of National Coal Wage Agreement from the date of death of her husband. The petitioner relies on several judgments of this Court in this regard reported in (2016) 3 WBLR Calcutta 464, in the matter of M/s. Eastern Coal Fields Limited

vs. Debati Kumar & Ors. The petitioner relies on a decision of a Division Bench of this Court in the matter of M/s. Eastern Coal Fields Limited & Ors. vs. Premlata Devi & Ors. He further submits that from the order passed by a Division Bench of this Hon'ble Court in the matter of Premlata Devi (supra), the special leave petition filed by ECL has been dismissed.

This writ petition is disposed of with a direction upon the respondent no. 3 to consider and dispose of the claim of the petitioner for payment of monetary compensation in the light of the judgments of this Court within a period of eight weeks from the date of communication of this order. The reasoned order should be communicated to the petitioner within a week thereafter.

(SHAMPA SARKAR, J.)