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IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE  
(Via Video Conference)

**WPA 16121 of 2021**

Sujola Ankure @ Sujala Akuria  
Vs.  
M/s. Eastern Coal Fields Limited & Ors.

Mr. Partha Ghosh,  
Mr. Amal Kumar Datta  
.... For the petitioner

Mrs. Aparna Banerjee  
... For the respondents.

The petitioner is the widow of a former employee of Eastern Coalfields Limited (in short, ECL), who died-in-harness on 9<sup>th</sup> September, 1999. The petitioner says that under the Scheme prevalent in ECL at the time of death of the employee any of the legal heirs of the deceased employee is required to be given compassionate appointment or Monthly Monetary Cash Compensation (in short, MMCC). The petitioner applied for compassionate appointment on 9<sup>th</sup> March, 2001 for her son-in-law. However, the compassionate appointment was never granted to either of the petitioner's son-in-law or to any legal heir of the petitioner's deceased husband. The petitioner therefor had claimed MMCC. It is an admitted position that the petitioner is aged about 61 years, as

appears from the affidavit appended to the writ petition and as such has surpassed the age of employment. The petitioner, however, is entitled to claim MMCC in accordance with the prevailing rules. The petitioner had made a representation for granting monetary compensation with effect from 9<sup>th</sup> September, 1999, being the date of death of her husband, along with interest. The said representation was made on 3<sup>rd</sup> August, 2021 and has not yet been disposed of. The petitioner had filed this writ petition on 28<sup>th</sup> September, 2021.

In the facts and circumstances as aforesaid, I direct the respondent no.3, being the Director Personnel (ECL) to consider the petitioner's representation after affording the petitioner a reasonable opportunity to represent her case following Covid-19 prevailing protocol and dispose of the same by a reasoned order within six weeks from date and communicate the order immediately.

The parties, including the respondent no.3 shall act on the basis of the server copy of the instant order without insisting upon production of certified copy thereof.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavit, allegations made in the writ petition are deemed to have not been

admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of necessary formalities.

**(Arindam Mukherjee, J.)**