

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11551 of 2020

Pulak Barman Chakraborty
Vs.
Union of India & Ors.

Mr. Uttiya Ray
.... For the petitioner.

Ms. Sarda Sha
... For the respondent no.1.

Mr. Bijoy Kumar,
Mr. Balaram Patra
... For the respondent nos. 2 to 4.

Mr. Manik Das
... For the respondent nos. 5 to 7.

The petitioner has approached this Court complaining of anomaly in pay upon pay fixation while working in Eastern Coalfields Limited (in short, ECL). In page 22 of the writ petition, a letter dated 8th May, 2018 issued by ECL to the General Manager (Personnel), Coal India Limited (in short, CIL) is annexed. On a perusal of the said letter, it appears that the Internal Pay Anomaly Committee had the occasion to take up the petitioner's claim but could not decide the same as certain queries raised have not been replied by CIL. In the supplementary affidavit filed by CIL at page 9 thereof, a letter dated 9th February, 2018 has been annexed. The said letter is a reply from CIL to the letter dated 23rd December, 2017 of ECL. After

issuance of the said letter dated 9th February, 2018, I do not find that the Internal Pay Anomaly Committee of ECL can have any difficulty in considering the petitioner's claim and disposing of the same in accordance with law as the queries raised by ECL before CIL have been duly addressed.

After hearing the parties and considering the writ petition, the report and the supplementary affidavit filed by CIL and the petitioner's exception to the report filed by CIL, I find that justice will be sub-served if I direct the Internal Pay Anomaly Committee of ECL to decide the petitioner's grievances regarding pay anomaly, after affording the petitioner a reasonable opportunity of hearing and by passing a reasoned order within a period of four months from the date of communication of a server copy of this order to ECL, being the respondent no.5, in the instant writ petition.

Since all the parties are represented, there shall be no further notice to any of the other respondents in the writ petition.

ECL, if there is presently no Internal Pay Anomaly Committee, shall upon receipt of a copy of this order immediately constitute such Committee for considering and disposing of the petitioner's grievances regarding pay anomaly. ECL and the Internal Pay Anomaly Committee of ECL shall upon an order being

passed in terms of the direction given herein, shall immediately communicate the same to the petitioner.

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

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

(Arindam Mukherjee, J.)