

ORDER SHEET

WPO/2628/2020

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

Prabhat Kumar Jha.
Versus
Coal India Ltd. & Ors.

BEFORE:

The Hon'ble JUSTICE LAPITA BANERJEE

Date : 23rd September, 2022.

Mr. Partha Ghosh with Mr. Amal Kr. Datta,
Ms. Ria Paul, Mr. Debashis Das,
Ms. Simron Sureka & Mr. Rahul Agarwala, Advs.
... for petitioner.

Mr. Manik Das, Adv.
... for respondent nos. 3&4.

In this writ petition the petitioner has prayed for the reviewing authority to consider his representation dated June 21, 2022. The writ petitioner was an ex-employee of the Eastern Coalfields Ltd. (in short ECL). The writ petitioner was dismissed from service on December 7, 2018. The appeal of the writ petitioner was also dismissed by the Appellate Authority by an order dated August 22, 2019. Thereafter, the writ petitioner preferred review before the Chairman-cum-Managing Director, Coal India Ltd. (in short CIL).

Mr. Ghosh, learned Counsel appearing on behalf of the writ petitioner, submits that the said representation before the reviewing authority has not been considered till date. He further submits that the writ petitioner has been honourably acquitted in the criminal proceedings that was instituted against him.

Mr. Das, learned Counsel appearing on behalf of the respondent authorities, submits that the writ petition is not maintainable in its present form since it has been filed in the Original Side and not in the Appellate Side of this Court.

Without going into the technicalities of the matter, this Court is of the view that it has the jurisdiction to entertain writ petitions pertaining to the entire State.

After considering the rival submissions of the parties and the materials placed on record, this Court is of the view that justice will be subserved by directing the Chairman-cum-Managing Director/CIL to consider the representation of the writ petitioner within eight weeks from date upon giving a personal hearing to the writ petitioner or his delegated representative.

Such reasoned order be communicated to the writ petitioner by two weeks from the date of passing of the same.

Since no affidavits have been invited, the allegations contained in the writ petition are deemed not to have been admitted by the parties.

With the directions aforesaid, the writ petition **WPO/2628/2022** is **disposed of**.

All parties to act on the server copy of this order as downloaded from the official website of this Hon'ble Court.

(LAPITA BANERJEE, J.)