

43.
05.10.2023
S.D.

W.P.A. 15670 of 2022

**Ragai Majhi
Vs.
Eastern Coalfields Limited & Ors.**

Mr. Nirmalendu Ganguly

...For the Petitioner

Ms. Priti Banerjee

..For the ECL

In this writ petition, the petitioner has challenged the charge sheet, enquiry proceedings, enquiry report and the order passed by the Disciplinary Authority.

Mr. Ganguly, learned counsel appearing on behalf of the petitioner submitted on previous occasion that subsistence allowance was illegally and arbitrarily not paid to the petitioner since his suspension in 2018.

This Court directed payment of subsistence allowance for a period of 35 days to be made to the petitioner.

Ms. Banerjee, learned counsel appearing on behalf of the ECL submits that such payment is made to the petitioner in terms of the order passed by this Court.

Document evidencing in such payment as handed over in Court today is retained with the records.

It is now submitted by Mr. Ganguly, learned counsel appearing on behalf of the petitioner that the Appellate Authority has passed its order after keeping the appeal pending for more than two years. Since the final order had been passed by the Appellate Authority, nothing further remains to be agitated in the present writ petition.

The petitioner will be entitled to interest @ 6% p.a. for a period of 35 days from the date on which the entitlement arose till the date of actual disbursal of the said allowance. Such interest will be paid within two months from the date of this order.

Accordingly, **W.P.A. 15670 of 2022 is disposed of.**

Needless to mention that in the event the petitioner is aggrieved by the order passed by the Appellate Authority, he may file appropriate proceedings, if so advised.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

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

(Lapita Banerji, J.)

