

WPO/3361/2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

CHUNUCH MEJHIAN
VERSUS
M/S. EASTERN COAL FIELDS LIMITED & ORS.

BEFORE:
The Hon'ble JUSTICE LAPITA BANERJI
Date: 28th July, 2023.

Appearance:
Mr. Partha Ghosh, Adv.
Mr. Amal Kumar Datta, Adv.
Ms. Simran Sureka, Adv.
Mr. Debashis Das, Adv.
Mr. Rahul Agarwala, Adv.
For the petitioner.

Mr. Syed Nurul Arefin, Adv.
Mr. Syed Moyeenul Arefin, Adv.
Ms. Rashmi Binayak, Adv.
For ECL Authorities.

The Court :- Written instructions filed by Mr. Arefin is retained with the records.

Mr. Arefin submits that the respondents/Eastern Coalfields Limited (ECL) is agreeable to pay MMCC to the petitioner with effect from the sanctioned order dated October 27, 2014. However, he submits that the petitioner has not approached this Court with clean hands as she has suppressed a letter dated November, 2014 whereby she has given up her claim for Monthly Monetary Cash Compensation (MMCC).

Mr. Ghosh, learned counsel appearing on behalf of the petitioner, submits that the petitioner is an illiterate person. Suppression, if any, was not intentional.

Considering the rival submissions of the parties and materials placed on record, this Court directs arrears of MMCC to be granted to the writ petitioner from October 27, 2014 by three months from the date of the order, upon compliance with all the necessary formalities. The MMCC will be paid regularly month by month on and from September 11, 2023 till the date the petitioner attains the age of 60 years. In view of the fact that the letter dated November 2014 has not been brought on record, this Court has not considered the payment of MMCC from the date of death on October 4, 2010.

WPO No. 3361 of 2022 is, accordingly, disposed of.

All parties to act on a server copy of this order downloaded from the official website of this Court.

(LAPITA BANERJI, J.)