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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/3364/2022

AMARA BADYAKAR ALIAS ANGURA BADYAKAR
VS
M/S EASTERN COAL FIELDS LTD AND ORS.

BEFORE:

The Hon'ble JUSTICE LAPITA BANERJI

Date : 22nd September, 2023

Appearance:

Mr. Partha Ghosh, Adv.
Mr. Amal Kumar Datta, Adv.
Ms. Simran Sureka, Adv.
Mr. Debashis Das, Adv.
... for the petitioner.

Ms. Priti Banerjee, Adv.
... for the ECL.

Mr. Anirban Ray, Id. GP.
Mr. T. M. Siddiqui, Adv.
Mr. Tanoy Chakraborty, Adv.
... for the State.

The Court :- The report by the learned District Magistrate as directed by the order dated August 4, 2023, has been forwarded to the learned Registrar, Original Side. From the said report it becomes clear that the writ petitioner Amara Badyakar and Angura Badyakar are one and the same person being the wife of late Sanjib Badyakar.

The learned District Magistrate has stated that upon enquiry conducted from the end of the Commissioner of Police, Asansol Durgapur Police Commissionerate through the officer-in-charge, Faridpur police station. It becomes crystal clear that Amara Badyakar alias Angura Badyakar are one and the same person. The officer-in-charge has taken into account the Aadhar card,

the ID card issued by ECL and also the voter card of the petitioner to come to the said finding.

In view of the said Report the contention raised on behalf of the ECL cannot be sustained any further. Therefore, this Court directs all the terminal benefits of the petitioner's husband to be disbursed to the petitioner from September 22, 2006 being the date (subsequent to the date of death of the petitioner's husband) within a period of two months from the date of this order. The petitioner will also be entitled to interest at the rate of 10% per annum from September 22, 2006 till the date of disbursement of the entire amount of the provident fund dues and arrears of pension. The petitioner will also be entitled to pension on a month by month basis starting from November, 2023. The rate of interest is stipulated at 10% per annum considering the harassment suffered by the petitioner since 2006 in the hands of respondent ECL.

With the directions aforesaid **WPO/3364/2022** is **disposed of**.

All the parties shall act on the server copies of this order duly downloaded from the official website of this Hon'ble Court.

(LAPITA BANERJI, J.)