

Dd 22 27.06.2024

MAT 473 of 2024

with

I.A NO: CAN 2/2024

I.A NO: CAN 3/2024

**M/s. Eastern Coal Fields
Limited**

Vs.

Ramsebak Banerjee & Ors.

Mr. Saptangshu Basu, Id. Sr. adv.
Ms. Tanushree Dasgupta, Advocates
... .. For the Appellant (ECL)

Mr. Suddhasatva Banerjee,
Mr. K. Chaudhury, Advocates
... .. For the Writ petitioner/respondent no. 1

1. Appeal is at the behest of the Eastern Coalfields Limited (ECL). Appellant is aggrieved by an order dated December 18, 2023 disposing of WPA 27494 of 2023.

2. By the impugned order, the learned Single Judge directed employment of the writ petitioner to be provided and that such employment shall commence from November 1, 2022. All arrears of pay and allowances were directed to be paid within two months from the date of actual issuance of the letter of appointment and the joining of the writ petitioner.

3. Learned senior advocate appearing for the appellant submits that, the writ petitioner although, was entitled to employment and was, in fact, given the same, the writ petitioner was not entitled to a direction

that such employment will commence from November 1, 2022 and that he will be entitled to arrears of pay.

4. Learned advocate appearing for the writ petitioner, on instruction of the writ petitioner who is present in Court, submits that, the writ petitioner consents to the portion of the impugned order directing commencement of the employment of the writ petitioner from November 1, 2022 and all arrears of pay and allowances to be paid as per such date, to be set aside.

5. As noted above, the writ petitioner was granted the employment pursuant to order dated December 18, 2023. In view of the respective stand of the parties, it is clarified that the employment of the writ petitioner will commence on and from the date when he joined pursuant to the grant of employment in terms of the order dated December 18, 2023. He will not be entitled to any arrears as directed by the learned Single Judge.

6. With the aforesaid observations, MAT 473 of 2024 along with connected applications are **disposed of** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

