

26.02.2024
SI No.14
Court No.8
(gc)

**MAT 2007 of 2022
CAN 1 of 2023**

**Jayashree Mukherjee & Anr.
Vs.
M/s. Eastern Coal Fields Ltd. & Ors.**

Mr. Partha Ghosh,
Mr. Amal Kumar Datta,
Ms. Simran Sureka,
Mr. Debasish Das
.....for the Appellants.
Mr. Syed Nurul Arefin,
Mr. Syed Moyeenul Arefin,
Ms. Rashmi Binayak
...for the Respondents.

1. The sole bread earner died in the year 2017 leaving behind the widow and daughter. The widow made an application for compassionate appointment for her daughter. However, it was found that the daughter was ineligible because she was found to be minor by the E.C.L. As a result, the only option left to the family of the deceased was the claim of Monthly Monetary Cash Compensation (MMCC).
2. After hearing the learned Counsel for the parties on the last occasion, we directed the respondent No.1 to calculate the monetary compensation payable to the legal heirs of the deceased. The learned Counsel appearing on behalf of the

respondent No.1 has placed before us the details wherefrom it appears that a sum of Rs.26,58,912.23 is payable to the family of the deceased till February, 2024.

3. In view of the aforesaid, we dispose of the appeal by directing the widow to file an appropriate application for monetary compensation within two weeks from date and the E.C.L. is directed to complete all formalities and released the monetary compensation month by month on and from April, 2024 as admissible.
4. All arrears payable towards monetary compensation shall be released within a period of six weeks from the date of filing of the application.
5. The appeal and the application are, accordingly, disposed of.
6. In view of the change circumstances, the impugned order is set aside.
7. However, there shall be no order as to costs.
8. The calculation sheet with the forwarding letter addressed to the Area Finance Manager, Bankola Area, ECL dated 6th February, 2024 is kept with the record.

9. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)