

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/1858/2023
PURNIMA DOME
-VS-
M/S. EASTERN COALFIELDS LTD AND ORS

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 27th February, 2024.

Mr. P. Ghosh, Adv.; Mr. A.K. Datta, Adv.; Ms. S. Sureka, Adv.; Mr. D. Das, Adv., petitioner.
Mr. M. Das, Adv., for ECL.
Mr. K. Guha Thakurta, Adv.; Md. Wasim Rahaman, Adv., for respondent no.8.

The Court: 1. The respondents seek further time. This Court, however, is of the view that the terminal benefits payable to the writ petitioner on account of death of her husband Gouranga Dome cannot be denied to her.

2. In those circumstances, the concerned Regional Commissioner, Region-1, Coalmines Provident Fund Authority (CMPF) shall release the PF and pension to the petitioner mandatorily and positively within a period of 45 days from the date of receipt of a copy of this order. The ECL shall transmit all the service records of the petitioner including any calculations of entitlement and last drawn pay to the CMPF mandatorily and positively within a period of three weeks from date.

3. In so far as the life cover scheme payable by the ECL to the petitioner is concerned, let any entitlement thereunder be released to the petitioner within a period of four weeks from date.

4. The aforesaid payments shall be made within the timeframe stipulated above by the ECL and the CMPF, unless already paid.

5. Notwithstanding the pendency of the proceedings under the Payment of Gratuity Act, let the principal amount of gratuity also be paid by the ECL, if not already paid, within a period of four weeks from date.

6. This is without prejudice to the rights and contentions of the parties in the pending proceedings before the controlling authority under the Payment of Gratuity Act.

7. with the aforesaid directions, the writ petition stands disposed of.

(RAJASEKHAR MANTHA, J.)

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