

Items- 28-02-2025  
2&4.

sg Ct. 37

**CPAN 1350 of 2024**

Lakha Hari & Anr.  
Versus  
Samiran Dutta, Chairman cum Managing Director,  
Eastern Coalfields Ltd. & Ors.

**In**

**MAT 1630 of 2023**

Mr. Anshunath Chakraborty  
...for the petitioners  
Ms. Riti Banerjee  
...for the alleged contemnors

1. We have considered the reasoned order. The authority concerned has considered the income criteria of the employer, who has been declared disable for not considering the application for compassionate appointment of the petitioners.
2. In this contempt jurisdiction, we cannot decide the merits of the said order unless it appears to the Court that the said order was passed to circumvent the order passed, whose implementation is under consideration. The Court will not go into such question. The authorities have given a reason.
3. It will be open for the petitioners to challenge the said order and contend that the scheme speaks otherwise and entitles the writ petitioners to consider their case for compassionate appointment.
4. Accordantly, the application stands disposed of. However, there shall be no order as to costs.

5. The affidavit of compliance and the exception affidavit are taken on record.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**