

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

Before:
THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

W.P.A. 27851 OF 2025

Kartik Majhi
VS.
M/s Eastern Coalfields Limited & Ors.

For the Petitioner : Mr. Gobinda Kar

For the Respondents : Mr. Tushar Sinha
Mr. Pranab Kumar Das

Heard on: : 15.12.2025

Judgment on: : 15.12.2025

SAUGATA BHATTACHARYYA, J:

1. Father of the petitioner was an employee of Eastern Coalfields Limited who died-in-harness on 5th August, 2011. Mother pre-deceased father.

2. It is submitted by the learned advocate representing the petitioner that all retiral dues have already been released in favour of the petitioner being legal heir. However, by presenting this writ petition petitioner has claimed appointment on compassionate ground. Reliance is placed on a document at page 54 of the writ petition whereby petitioner made an application for appointment on compassionate ground on 5th July, 2022 after petitioner became major on completing 18 years in 2016. Finally claim of the petitioner for appointment on compassionate ground was spurned by the concerned authority of Eastern Coalfields Limited vide order dated 27th August, 2025 and said order dated 27th August, 2025 is questioned in this writ petition.
3. ECL is represented by learned advocate who has submitted that though petitioner attained majority in 2016 but first application was made seeking appointment on compassionate ground on 5th July, 2022. As per norms it is submitted that belated application seeking appointment on compassionate ground does not confer right upon the applicant to get appointment.
4. Having considered the submissions made on behalf of the parties and taking note of the materials available on record it appears that father of the petitioner was an employee under

ECL who died-in-harness on 5th August, 2011. Mother pre-deceased father.

5. At the time of death petitioner was minor but petitioner completed 18 years in 2016 and on becoming major petitioner did not apply seeking appointment on compassionate ground within time. Petitioner first made application for appointment on compassionate ground on 5th July, 2022 meaning thereby six years after becoming major in 2016.
6. It is trite that appointment on compassionate ground is not a vested right and same is required to be considered in terms of the relevant scheme. Object of providing appointment on compassionate ground is to tide over immediate financial hardship which depending members of the family may face due to untimely death of bread-winner.
7. In the present case though employee died on 5th August, 2011 but first application was made seeking appointment on compassionate ground on 5th July, 2022, after 11 years. If Court considers the fact that petitioner become major on completing 18 years in 2016 in that event also there is delay of six years.
8. Hence, no relief can be granted to the petitioner.

9. It needs to be recorded herein that petitioner has already received terminal benefits including provident fund due to death of his father.
10. Writ petition stands dismissed.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)