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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/214/2025

KAMALA HELA AND ANR.
VS
COAL INDIA LIMITED AND ORS.

BEFORE:

The Hon'ble JUSTICE ANIRUDDHA ROY

Date : 10th June, 2025.

APPEARANCE:

Mr. Gobinda Kar, Adv.
..for the petitioners.

Mr. Anup Kanti Poddar, Adv.,
Ms. Khusboo Ruia, Adv.
For respondent nos. 2 to 8..

The Court:- The petitioner is the widow of one **Jaiesh Hela** since deceased, who was an employee of the Coal Company. The deceased employee has suffered an untimely death during his employment tenure on **November 22, 2017**. The death certificate is **Annexure P-2 at page 30** to the writ petition.

After the death of the employee the petitioner applied for compassionate employment and compensation under the relevant Coal Agreement Scheme (NCWA).

Annexure P-3 at page 33 to the writ petition being communication dated **August 16, 2018** issued by Coal Company shows that since at the relevant point of time, the petitioner was **above 45 years**, the relevant Scheme

did not permit the petitioner to receive an employment but it did permit the petitioner to receive mandatory compensation. Accordingly, the petitioner was advised to apply for monetary compensation.

The petitioner accordingly on **February 12, 2025 Annexure P-4 at page 34** applied for monetary compensation. The communication of the Coal Company dated **February 23, 2025 Annexure P-5 at page 40** to the writ petition shows that Coal Company has made requisition from the petitioner for submission of certain documents and records.

Mr. Anup Kanti Poddar, learned Advocate appearing for Coal Company submits, on instruction, that these documents have not yet been furnished by the petitioner. Hence, the claim of the petitioner for monetary compensation could not be proceeded with any further.

Mr. Govindo Kar, learned counsel appearing for the petitioner relying upon a decision of this Court dated **May 20, 2025 In the matter of: Maya Bouri vs. M/s. Eastern Coalfields Ltd. & Ors.** rendered in **WPO/33/2025** submits that, law is now well-settled that it is the obligation of the coal company to pay monetary compensation payable to the petitioner in accordance with law.

This Court has been informed that till date no appeal has been preferred from the said judgment of this Court dated May 20, 2025.

After considering the submissions made on behalf of the parties and upon perusal of the materials on record and in view of the discussions and reasons recorded **In the matter of : Maya Bouri (*supra*)** the appropriate authority of the respondents is directed to quantify the monetary compensation

payable to the petitioner strictly in accordance with law and upon compliance of all formalities and legal requirements and also upon furnishing required documents and records by the petitioner, shall release and pay the monetary compensation to the petitioner positively within a period of **Three months** from the date of communication of this order. The relevant date for the purpose of quantifying the compensation should be **Date of Death** of the employee concerned.

With the above observation and direction, this writ petition **WPO/214/2025** stands allowed without any order as to costs.

(ANIRUDDHA ROY, J.)

dg/