

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE**

WPO/393/2025

SANJAY KUMAR MAJHI.
VERSUS
M/S. EASTERN COAL FIELDS LTD AND ORS.

**PRESENT :
THE HON'BLE JUSTICE ANIRUDDHA ROY**

For the petitioners : Mr. Partha Ghosh, Advocate
Mr. Amal K. Datta, Advocate
Mr. Debashis Das, Advocate
Mr. Bratin Suin, Advocate

For the respondent Ms. Tanushree Dasgupta, Advocate

Heard on : September 16, 2025.

Judgment on : September 16, 2025.

ANIRUDDHA ROY, J. :

1. On the prayer of Mr. Partha Ghosh, learned Counsel appearing for the petitioner, time to file exception stands extended till today. Exception filed in Court today is taken on record. Copy has been served.

2. The petitioner claims compassionate employment in terms of the provisions made under NCWA Agreement.

3. Referring to **Annexure P-7 at page 33** to the writ petition and the specific reference to **page 37** thereto, Mr. Partha Ghosh, learned Counsel appearing for the petitioner submits that the application of the petitioner is under process.

4. On scrutiny of the existing records and the report on affidavit filed by the Coal Company, it also appears to this Court that the claim of the petitioner has not yet been rejected.

5. The law is well-settled that the NCWA Agreement has acquired a flavor of law and the provision of compassionate employment mentioned therein is a benevolent policy of the Coal Company which has to be read as liberal as possible in favour of its beneficiary, but of course, subject to the terms and conditions therein being fulfilled by the applicant.

6. It is also not the case made out by the Coal Company that the petitioner has not fulfilled the terms and conditions of the NCWA Agreement. The records simply show that the application submitted by the petitioner is pending as under process.

7. In view of the above, respondent no.6 and/or any other appropriate and jurisdictional authority of the Coal Company shall take an immediate decision on the pending application of the petitioner strictly in accordance with law and by strictly following the terms and conditions laid down under the said NCWA Agreement relating to compassionate employment on the basis of the existing records available with them and submitted by the petitioner.

8. For ready reference the appropriate authority of the Coal Company may refer to a copy of the writ petition, the report on affidavit filed by the Coal Company and the exception filed by the petitioner therein for the purpose of consulting records.

9. The entire exercise shall be carried out and completed by the appropriate authority positively within a period of **six weeks** from the date of communication of this order and the reasoned decision shall be communicated to the petitioner positively within **one week** from the date of the said reasoned order to be passed.

10. In the event the reasoned order goes in favour of the petitioner, the necessary consequential steps for appointment of the petitioner shall be taken positively within a period of **four weeks** from the date of the said reasoned order to be passed upon an immediate and simultaneous communication to the petitioner.

11. It is made clear that this Court has not gone into the merits of the claim of the petitioner and the appropriate authority of the Coal Company shall take its decision strictly in accordance with law.

12. With the above observation and direction, this writ petition **WPO/393/2025** stands disposed of, without any order as to cost.

[ANIRUDDHA ROY, J]

dg/