

OD - 3

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction

ORIGINAL SIDE

WPO/415/2025
SHIBA SETHI
VS
EASTERN COAL FIELDS LIMITED AND ORS.

BEFORE :
THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA
Date : 17th December, 2025

Appearance :

*Mr. Partha Ghosh, Adv.
Mr. Amal Kumar Datta, Adv.
Mr. Debashis Das, Adv.
Mr. Bratin Guin, Adv.
...for petitioner.*

*Mr. Anup Kanti Poddar, Adv.
Ms. Anjali Poddar, Adv.
...for respondent.*

1. The Court: Matter is heard in presence of the learned Advocate representing the petitioner and the Eastern Coalfields Limited (ECL).
2. Mother of the petitioner, who was an employee under ECL, was declared medically unfit and was permitted to retire voluntarily on 14th October, 2015. In this regard, an office order was issued by the concerned authority of ECL on 13/14th October, 2015. Petitioner being the son of the aforesaid employee of ECL

by presenting this writ petition has prayed for direction upon the concerned authority of ECL for providing appointment on compassionate ground.

3. It is brought to the notice of the Court in reference to a document at page 39 of the writ petition that the application of the petitioner for appointment on compassionate ground was duly processed by the concerned authority and it is alleged that thereafter no steps were taken to appoint the petitioner on compassionate ground.
4. Learned Advocate representing the ECL submits that there is introduction of new scheme requiring compliance of formalities under the said scheme relating to appointment on compassionate ground which would make the petitioner eligible to be appointed accordingly.
5. Though application was made long back just after permitting the mother to retire voluntarily since she was declared medically incapacitated but till date no decision is taken by the concerned authority of ECL on the claim of the petitioner seeking appointment on compassionate ground.
6. No purpose would be sub-served in keeping this writ petition pending. Director Personnel (ECL) being the respondent no.3 is directed to decide the claim of the petitioner's appointment on compassionate ground by eight weeks from the date of communication of this order and the said respondent no.3 shall pass a reasoned order after granting opportunity of hearing to the petitioner or his representative. Steps being taken by the respondent no.3 to be communicated to the petitioner by a fortnight thereafter.

7. If the respondent no.3 decides that petitioner is eligible to be appointed on compassionate ground, consequential steps shall be taken upon completing formalities prior to appointment of petitioner.
8. Writ petition stands disposed of.
9. Urgent xerox certified copy, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(SAUGATA BHATTACHARYYA, J.)

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