

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 995 of 2025

Nandini Majhi
-versus
Coal India Ltd. & Ors.

Mr. Monish Sen
Ms. Oisani Mukherjee
... For the petitioner

Mr. Susanta Pal
Mr. Pradipta Basu
... For the respondent nos.1 to 4

Mr. Kanak Kiran Bandyopadhyay
Ms. Monima Khan
... For the respondent no.5

1. Affidavit of service filed in Court today is taken on record.

2. Instruction forwarded by the Area Manager (HR), Kajora Area disclosing the stand of the authority that in view of the unresolved dispute regarding rightful dependent of the deceased employee, it is not feasible to extend compassionate appointment to the petitioner.

3. The instruction mentions that there are two ladies; one is Chabi Majhi and the other is Chanchala Majhi. Both claim to be legally wedded wife of the deceased employee and both have nominated different dependents for compassionate appointment. Both have produced marriage certificates. The second marriage appears to have been contracted during the subsistence of the first marriage.

4. It appears that there is contradictory claim with regard to the status of the legally wedded wife of the deceased employee. In such a situation, it will not be proper to direct the authority to take a decision in favour of any of them in the absence of a formal order from the competent court of law declaring their status.

5. In view of the above, no relief can be granted to the petitioner in the instant writ petition.

6. The writ petition fails and is hereby dismissed.

7. A copy of the written instruction has been handed over to the learned advocates representing the petitioner and the private respondent in Court today.

8. It will be open for the parties to take necessary steps for declaration of their status in accordance with law, if so advised.

9. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)