

08.06.2026
Court No.13
Item No. 7
sp

MAT 673 of 2026
With
CAN 1 of 2026
Anima Mukherjee
Vs.
Eastern Coalfields Limited & Ors.

Mr. Abdul Masod,
Ms. Debnath Pramanik,
Mr. Sajid Hussain.

.... For the appellant.

Ms. Priti Banerjee,
Ms. Swapna Sikdar.

..for the respondent ECL.

Mr. Pinaki Ranjan Chakraborty.

..for the Union of India.

1. Learned counsel for the appellant submits that her client is willing to vacate the quarter of the ECL upon receipt of retiral benefits.

2. Learned counsel for the ECL submits that all retiral benefits have been paid and quantum of the gratuity is lying with the controlling authority.

3. The appellant shall vacate the quarters within a month from date.

4. Having regard to the fact that the appellant has received the entire terminal benefits, any balance sum payable by the ECL including gratuity to be released by the controlling authority, shall factor in any penal rent

deductable on account of the occupation of quarters by the appellant of the ECL. The ECL shall calculate the amount of penal rent and deduct from any terminal benefits still outstanding to the appellant.

5. If there are no terminal benefits payable by the ECL, the quantum of penal rent shall become deductible from out of gratuity payable to the appellant.

6. For the aforesaid purpose, the ECL shall communicate the quantum of penal rent and interest, if any applicable to the controlling authority who shall deduct the same and pay the balance to the appellant. The quantum of penal rent deducted by the controlling authority as communicated by the ECL shall be refunded back to the ECL by the controlling authority.

7. Upon the appellant vacating the quarters, due inspection shall be conducted by the ECL and any damage to the quarters shall also be taken into account and quantified by the ECL and shall be included in the aforesaid sum deductible from the terminal benefits of the appellant. The said sums shall be refundable by the controlling authority to the ECL.

8. All sums payable by the ECL to the appellant shall be made upon the appellant vacating her quarters as directed above.

9. With the aforesaid observations, MAT 673 of 2026 along with CAN 1 of 2026 shall stand disposed of.

10. The impugned order shall stand modified accordingly.

11. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)