

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11950 of 2026

Sumitra Mejhan
-versus
M/s. Eastern Coalfields Limited & Ors.

Mr. Subhrangsu Panda
Ms. Haritri Roy
Mr. Anupam Singha
... For the petitioner

Mr. Manik Das (vc)
... For the respondents/ECL

1. The petitioner claims that her husband was serving in the Eastern Coalfields Limited and died-in-harness on 19th July, 1994. Though the application made by the petitioner seeking appointment stood rejected way back in the year 2003 on the ground that the petitioner was unable to prove her marriage with the deceased, but the Controlling Authority under the Payment of Gratuity Act and the Assistant Labour Commissioner (Central), Asansol passed on 20th February, 2007, granting gratuity in favour of the petitioner.

2. On the strength of the aforesaid order, the petitioner revived her claim as wife and applied for employment again in April 2007. The prayer of the petitioner again stood rejected relying on the earlier rejection passed in the year 2003.

3. The petitioner has presently filed a representation seeking Monthly Monetary Cash Compensation (MMCC). The said application is pending consideration. Prayer has been made to direct the respondent authority to consider her application.

4. Learned advocate representing the Eastern Coalfields Limited submits that the order of rejection of the prayer of the petitioner for employment was never challenged by the petitioner. At such a belated point of time, the prayer of the petitioner for grant of MMCC cannot be allowed.

5. Learned advocate for the petitioner would rely upon judgments passed by this Court holding that there is no requirement of filing application for grant of MMCC.

6. Be that as it may, as it appears that the application filed by the petitioner is pending consideration before the authority, accordingly, no useful purpose will be served by keeping the writ petition pending.

7. The writ petition stands disposed of by directing the General Manager, Kunustoria Area, Eastern Coalfields Limited to consider the representation of the petitioner submitted on 25th March, 2026 (Annexure 'P-5' at pages 39 to 41 of the writ petition) in accordance with the prevailing National Coal Wage Agreement (NCWA) after giving an

opportunity of hearing to the petitioner for production of documents in her support and pass a reasoned order at the earliest but positively within a period of twelve weeks from the date of communication of this order.

8. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken without any further delay.

9. Learned advocate for the petitioner is directed to forward a copy of the subject representation along with all supporting documents to the aforesaid respondent at the time of communicating the order of the Court.

10. It is made clear that the Court has not entered into the merits of the prayer of the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the application of the petitioner.

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

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

(Amrita Sinha, J.)