

S/L 6
30.03.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 22437 of 2024

Shrimanta Kumar
Vs.
The Union of India & Ors.

Mr. Arun Naskar

...for the Petitioner.

Mr. Asok Kumar Chakrabarti, Ld. ASG

Ms. Rashmi Bothra

...for the Union of India.

Mr. S.M. Obaidullah

Mr. Nikhil Kumar Roy

Mr. R. Chowdhury

Mr. T. Mukherjee

...for the BCCL.

1. The petitioner claims that his father-in-law, namely, Gobardhan Kumar was an employee of Bharat Coaking Coal Limited. He was declared medically unfit in the year 1991. The attendance of the employee stood closed on and from June 8, 1992. The employee was intimated to deposit documents/certificates of the dependant(s) in the office.

2. By a further communication made to the employee in November 1992, it was informed that the list of dependant(s) was not submitted in the office till November 1992. Three days' time was given to the employee to submit the list of dependant(s) failing which it will be presumed that the employee did not have any dependant.

3. From the document annexed at page no.20 of the writ petition, which is quite illegible, allegedly containing the left thumb impression of the employee addressed to the authority, the petitioner claims that

his name was disclosed before the authority as the dependant member. The employee has expired. The death certificate of the employee, however, has not been annexed to the writ petition.

4. The petitioner seeks for a job as dependant member of the deceased employee who was declared unfit in the year 1991.

5. The submission of the petitioner is opposed by the respondents.

6. Learned advocate representing the Bharat Coaking Coal Limited submits that the authority has not been impleaded as party respondent in the instant writ petition. Copy of the writ petition has also not been served upon the authority.

7. From the documents annexed to the writ petition and upon hearing the submission made on behalf of the petitioner, it appears that the employee was directed not to report to his job and his service stood closed way back in the year 1992.

8. The instant writ petition has been filed in the year 2024 with a prayer for allowing the nomination made in his favour allegedly by his father-in-law. The petitioner has not given any explanation as to why he has approached the Court after such a long delay.

9. The explanation provided by the petitioner in paragraph 9 of the writ petition allegedly on account of approaching the Court at a delayed point of time cannot be accepted. It has been submitted that the

petitioner stays in a very remote place in Purulia and he does not have the minimum finance to approach the Court.

10. None of the grounds pleaded by the petitioner for approaching the Court after more than three decades after the cause of action arose can be accepted. The writ petition is grossly time barred and does not merit consideration.

11. The writ petition accordingly fails and is hereby dismissed.

12. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)