08.10.2026
Item No.41
Court No. 30
Aloke

WPA 27625 of 2026

Eastern Coalfields Limited & Anr.
vs.
Union of India & Ors.

Ms. Arunima Lala
Mr. Aniruddha Saha Ray
Mr. Pradipto Bose
... for the petitioners

1. Affidavit-of-service filed be kept with the record.

2. The writ application has been preferred being aggrieved by an Award dated 2nd December, 2025, passed by the learned Central Government Industrial Tribunal-cum-Labour Court, Asansol in Reference Case No. 61 of 2004.

3. Vide the impugned Award, the learned CGIT, Asansol has allowed the reference case no. 61 of 2004 in respect of the respondent/worker and has directed the petitioner herein as follows :

"Hence,

O R D E R E D

that Industrial Dispute is allowed on contest against the management of Madhabpur Colliery under Kajora Area of Eastern Coalfields Limited. The employer company is directed to complete the employment procedure of Ram Hari Nayak, dependent son of Late Narayan

Nayak within two (2) months from the date of communication of the Award. Let an award be drawn up in light of my above findings. Let copies of the Award in duplicate be sent to the Ministry of Labour, Government of India, New Delhi for information and Notification."

4. On hearing the learned counsel for the petitioner and on perusal of the materials on record, it appears from the **service record** annexed to the writ application at page 29 that Ram Hari Nayak, the son of deceased employee was aged about 12 years on 01.04.1987. His father/the employee died on 05.01.1995. On the date of death of the employee, his son Ram Hari Nayak had to be 15 years of age to be eligible for compassionate appointment.

5. It appears from the said dates as noted, that Ram Hari Nayak on the date of death of his father was about **19 years of age** and was thus clearly eligible to be considered for compassionate appointment.

6. The entry in the service records at page 28 and 29 was made on 17.06.1987 and till date the said entry has never been challenged by either of the parties and, as such, the parties are stopped from raising any dispute at this stage.

7. Considering the said dispute and the findings of the learned Tribunal, this Court finds that the

reasoned findings given by the learned tribunal requires no interference by this Court.

8. The writ application is accordingly dismissed.

9. Connected application, if any, stands disposed of.

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

(Shampa Dutt (Paul), J.)