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(DL)

05.02.2026
Ct. No. 02
(ARPAN)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 25745 OF 2025

MITHUN BAURI & OTHERS

VS.

THE EASTERN COALFIELDS LIMITED & OTHERS

Mr. Nirmalendu Ganguly, Adv.

Mr. Anshunath Chakraborty, Adv.

...for the Petitioners

Mr. Syed Nurul Arefin, Adv.

Mr. Sanju Agarwal, Adv.

...for the ECL

Mr. Kallol Guha Thakurta, Adv.

Md. Wasim Rahaman, Adv.

...for the Respondent No.4

1. In terms of the previous order a report in the form of affidavit affirmed on 4th February, 2026 on behalf of the Eastern Coalfields Limited (for short, 'ECL') is filed before this Court and same is taken on record.
2. Wife and legal heirs of deceased employee of ECL have approached this Court with the present writ petition for release of terminal benefits.
3. Today by filing a report it is disclosed on behalf of the ECL that proportionate gratuity and provident fund are released in favour of the petitioners following norms.
4. It is further submitted by the learned advocate representing ECL that deceased employee had no leave in terms of leave statement at the material point of time. Therefore, leave encashment benefit is not payable to the heirs of deceased employee.

5. It is jointly pointed out by the learned advocates representing ECL and Coal Mines Provident Fund Organization that pension payment order was issued on 2nd February, 2026, which is at page 22 of the report filed today, being Annexure - G and soon pension/family pension shall be released in favour of wife of the deceased employee.
6. It is also submitted by the learned advocate representing ECL that *vide* order dated 8th March, 2004 issued by General Manager, Kajora area under ECL employee was terminated. Therefore, dependant family member is not entitled to receive compassionate appointment.
7. Petitioner is represented by learned advocate who prays for direction upon the concerned authority of ECL to pay interest on delayed payment of terminal benefits and it is also contended that compassionate appointment needs to be provided to one of the dependant family members.
8. Having considered the respective submissions made on behalf of the parties, Court directs Regional Commissioner, Coal Mines Provident Fund Organization being respondent no.4 to release pension/ family pension in favour of wife of the

deceased employee being petitioner no.4 by fortnight from the date of communication of this order.

9. Petitioners shall also be at liberty to make representation before the concerned respondent authorities for payment of interest, if terminal benefits were paid to the petitioners belatedly.
10. However, no case is made out in this writ petition for compassionate appointment. Therefore, issue is not delved into.
11. With the aforesaid directions and observations writ petition stands disposed.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)