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rkd 23.02.2026
Ct.02

W.P.A. 28053 of 2025

Santi Mundain @ Munda

-vs-

M/s. Eastern Coalfields Limited & Ors.

Mr. Gobinda Kar

....for the petitioner.

Mr. Sanat Kumar Dutta,
Mr. N. S. Ghosh

....for the respondents.

1. Matter is heard in presence of the learned advocates representing the petitioner and Eastern Coalfields Limited (ECL).
2. Husband of the petitioner was an employee of ECL who died-in-harness on 19th May, 2000. Prayer is made by presenting this writ petition to release monetary compensation due to untimely death of her husband in terms of relevant provisions of National Coal Wage Agreement (NCWA).
3. Learned advocate representing ECL has opposed this writ petition on the ground of delay.
4. It is submitted that husband of the petitioner died-in-harness on 19th May, 2000 but writ petition is filed on 6th December, 2025 precisely twenty five years after death of husband. According to ECL petitioner is not entitled to receive monetary compensation.
5. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court dated 13th October,

2023 passed on ***Special Leave to Appeal (Civil) No.18815 of 2022 (M/s. Eastern Coalfields Limited & Ors.-vs- Dukhni Bhuiya)***.

6. Petitioner in terms of the relevant provisions of NCWA due to untimely death of her husband is entitled to receive monetary compensation. Question is whether petitioner is entitled to receive arrears of monetary compensation from the date following the date of death of husband of the petitioner or for current months. Issue to be considered in view of delay in approaching the Court.
7. Husband of the petitioner died on 19th May, 2000 whereas writ petition was filed on 6th December, 2025, approximately twenty five years after death of the husband.
8. Placing reliance on ***Dukhni Bhuiya*** (*supra*) petitioner is entitled to receive monetary compensation in terms of relevant provisions of NCWA as amended from time to time for the period of three years prior to filing of the present writ petition including the current benefits as it was observed in paragraph 3 of ***Dukhni Bhuiya*** (*supra*) that interim order passed by the Hon'ble Supreme Court directing the ECL to pay the respondent the amount due under Clause 9.5.1(i) of National Coal

Wage Agreement, as amended up to date for the period reckoned backwards for three years prior to the date of the writ petition was filed by the respondent in the High Court should suffice.

9. It was also observed in paragraph 5 that respondent waited for almost twenty one years before approaching the Court by filing writ petition seeking monetary compensation from ECL, the amount as directed to be paid by the Hon'ble Supreme Court was finally found to be adequate to meet the ends of justice.
10. In the present case after twenty five years petitioner has approached this Court and Court finds ratio of ***Dukhni Bhuiya*** (*supra*) is applicable.
11. Hence, concerned authority of ECL is directed to pay monetary compensation for the period of three years prior to filing of the writ petition and current benefits by eight weeks from the date of communication of this order.
12. Writ petition stands disposed of.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)