

**W.P.A. 28477 of 2025**

**Smt. Keleswari Bhuia**  
**Vs.**  
**M/s Eastern Coalfields Limited & Ors.**

Mr. Gobinda Kar  
...for the Petitioner

Mr. Manik Das  
...for the respondent nos. 1 to 7

Mr. Kallol Guha Thakurata  
Md. Wasim Rahaman  
Mr. Dipankar Dutta  
Mr. Pritam Banerjee  
...for the respondent no. 8

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner and Eastern Coalfields Limited (for short, ECL). Respondent no. 8 is also represented by learned advocate.
3. It is submitted on behalf of the petitioner that due to death of her husband on 8<sup>th</sup> February, 2021 who was an employee under ECL, she is entitled to receive terminal benefits including death gratuity in connection with service of her husband.

4. However, on perusing the averments made in paragraphs 3, 4 and 5 of the writ petition it appears that name of employee is Ramabatar Bhuia and name of his first wife is Kaleswari Bhuia. Kaleswari Bhuia left Ramabatar Bhuia and remarried one Ramdeo Bhuia. It is stated in the writ petition that at the time of marriage name of the petitioner was Kunti Bhuia who was subsequently renamed by her husband as “Keleswari”.
5. In view of aforesaid facts it is a fit case where petitioner needs a declaration from civil court to the extent that she is legally married wife of Ramabatar Bhuia in order to make her eligible to receive terminal benefits including death gratuity.
6. Writ court should not enter into the factual aspects in order to determine who is legally married wife of Ramabatar Bhuia being an employee of ECL and died on 8<sup>th</sup> February, 2021.
7. With the above observation writ petition is disposed of.
8. However, this order will not preclude the petitioner to take steps in accordance with law for release of terminal benefits including death

gratuity in her favour if she is declared legally married wife of Ramabatar Bhuia.

9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

**(Saugata Bhattacharyya, J.)**