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**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/28619/2025

KALAWATI DEVI & ANR.
VS
M/S. EASTERN COALFIELDS LIMITED & ORS.

Mr. Partha Ghosh, Advocate
Mr. Amal Kumar Datta, Advocate
Mr. Debasish Das, Advocate
Mr. Bratin Suin, Advocate

.....for the Petitioners

Mr. S.M. Obaidullah, Advocate
Mr. Nikhil Kumar Roy, Advocate

.....for the ECL

1. The petitioners are the heirs and legal representatives of late Vidyanand Roy, who was employed by respondent no. 1. He expired on July 3, 2024 on account whereof the petitioners have approached this Court requesting that petitioner no. 2, the son of the deceased employee, be given employment on compassionate ground.
2. Mr. Obaidullah, learned Counsel appearing for the respondents submits that there is a prior application dated July 10 2024, made by a person representing herself to be the second wife of the Late Vidyanand Roy. The petitioners subsequently applied on August 26, 2024.
3. I have also been informed that the second wife has filed a suit, which is pending adjudication, challenging the disbursement of pension by the respondent authorities to petitioner no. 1, pursuant to the pension payment order issued on November 26, 2024.
4. This suit seeking orders on the disbursement of the pension cannot be a bar for the authorities to consider the issue of compassionate appointment of the petitioner no. 2.

5. In view of the afore-stated, respondent no. 5 is directed to give a hearing to the petitioners, as well as to the person claiming to be the second wife of late Vidyanand Roy.
6. This hearing will be conducted by July 31, 2026 and a reasoned order as to who is entitled to employment on compassionate ground following the death of late Vidyanand Roy, will be passed.
7. The resultant order will be communicated to the parties by August 10, 2026.
8. If the resultant order is in favor of the petitioners, the authorities, including respondent no. 3, will take steps to ensure that the petitioner no. 2, who is seeking the job, is appointed in the place and stead of late Vidyanand Roy, as expeditiously as possible and all retirement benefits and pensions are settled.
9. With these afore-stated directions, the writ-petition is **disposed of**. No order as to costs.

(Reetobroto Kumar Mitra, J.)