

03.02.2026
Ct. No. 30
SL No. **17**
MKP

WPA 28385 of 2023

Aparna Ganguly

Vs.

Eastern Coalfields Limited And Ors.

Mr. Nirmalendu Ganguly

.....for the Petitioner

Mr. Srijeet Ray Chowdhury

Mr. Syed Nurul Arefin

Mr. Syed Moyeenul Arefin

Mr. Sanju Agrawal

Mr. Rahul Singh

.....for the Respondent(ECL)

- 1.** Affidavit in reply and written notes are filed by the petitioner be kept with the record.
- 2.** The writ application has been preferred praying for direction upon the respondent to pay the dues of the petitioner along with interest at the rate of 18% per annum of the retirement dues.
- 3.** In course of hearing, the respondent no.1/Company has filed an affidavit in opposition wherein, it has been stated that the petitioner herein, retired on 31.01.2022. But in spite of undertaking given to the Hon'ble Court and notice continued to occupy the company allotted quarter unauthorized. Finally in compliance, the petitioner vacated

the premises on 27.03.2024 after 26 months of retirement.

It is further stated by the respondent no.1 that her terminal dues, the gratuity amount of Rs.17,01,748/- was duly deposited with the Controlling Authority, Assistant Labour Commissioner (Central), Asansol, in compliance with the Payment of Gratuity Act, 1972. Immediately after dismissal of the Company's earlier writ petition being WPA No. 18179 of 2023 on 18.09.2023, the Controlling Authority was informed by letter dated 18.10.2023 to release the gratuity amount to the petitioner.

The petitioner admits that having withdrawn the said gratuity amount from the Controlling Authority, the respondent no.1 has submitted a calculation at paragraph 7 wherein, the respondent no.1 has stated about the dues of the petitioner and has further stated that the petitioner has to make an application before the authorities concerned, claiming his said dues and has denied the rest of the case of the petitioner.

- 4.** In reply the petitioner submits that benefits to the tune of Rs.28 Lakhs have been withheld and the petitioner has further given the

details of calculation at paragraph 14 of the affidavit in reply on behalf of the petitioner.

5. Accordingly, the considering the relief prayed for by the petitioner herein, the writ application is disposed with the liberty granted to the petitioner to make appropriate applications before the appropriate authorities being the respondent no.1, Eastern Coalfields Limited & Ors. praying for claiming the outstanding dues to which the petitioner is entitled in accordance with law.
6. And the respondent shall consider the said applications within a period of 60 days from the date of communication of this order.
7. **WPA no.28385 of 2023** stands **disposed of**.
8. Applications, if any, connected thereto stand disposed of consequently.
9. Interim order, if any, stands vacated.
10. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]