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ORDER SHEET
WPO No.7 of 2025
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

BELI MEJHAN TUDU @ BELI
MEJHIAN TUDU @ BALI TUDU & ANR.
VS
M/s. EASTERN COALFIELDS LIMITED & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 8th June, 2026.

Appearance:
Mr. Partha Ghosh, Adv.
Mr. Amal Kumar Dutta, Adv.
Mr. Bratin Suin, Adv.
...for Petitioners.

Mr. Manik Das, Adv.
...for Respondents.

1. The petitioner no. 1 claims to be the female dependent of an employee of Eastern Coalfields Limited, who died in harness on 27th July, 2011. The petitioner no. 1 applied for the Monthly Monetary Cash Compensation (MMCC) on 30th May, 2024.
2. By a communication dated 29th June, 2024, the said petitioner was advised to submit the claim for MMCC in lieu of employment along with certain documents which were mentioned therein. The communication mentioned that MMCC will be paid after approval of the competent authority from the date of submitting the application as per the existing norms of the Company.
3. According to the petitioner, MMCC ought to have been paid on and from the next date of death and not from the date of filing of the

application. It has been submitted that the issue of payment of MMCC on and from the next date of death of the employee has been settled by this Hon'ble Court in various cases and the order passed by this Court stood affirmed by the Hon'ble Supreme Court.

4. Learned advocate representing the Eastern Coalfields Limited relies on the report filed by the General Manager (Personnel/Legal), constituted attorney of Eastern Coalfields Limited and submits that MMCC claim is to be processed as and when the application is made. Had the petitioner applied for MMCC immediately after the death of the employee, the same would have been payable on and from the next date of death of the employee. Here, the petitioner applied for MMCC only in May, 2024 when the employee died in harness in July, 2011.
5. Learned advocate representing Eastern Coalfields Ltd. relies on the order passed by the Hon'ble Supreme Court on 13th October, 2023 in Civil Appeal No. 6730 of 2023 in the matter of **M/S. Eastern Coalfields Ltd. Vs. Dukhni Bhuiya** wherein the Court was pleased to observe that in the peculiar facts of the case where the dependent of the employee waited almost 21 years before approaching the Court by filing the writ petition seeking monetary compensation, the amount as directed to be paid by the Court is adequate to meet the ends of justice. The employee died in harness on 14th September, 1999 and an application seeking monetary compensation was filed in the year 2020.
6. From the submissions made on behalf of the parties and on perusal of the documents placed before this Court, it appears that the petitioner

is yet to submit the necessary documents for processing the claim for MMCC. Till the documents are submitted by the petitioner, the authorities will not be in a position to process the claim for MMCC.

7. Accordingly, the instant writ petition stands disposed of with the observation that it will be open for the petitioner to submit the necessary documents as mentioned in the communication dated 29th June, 2024. On receipt of the said documents, the authority shall process the claim of the petitioner for grant of MMCC at the earliest strictly in accordance with law as laid down by the Special Bench in judgment dated 13th September, 2017 in **F.M.A 4401 of 2016** in the matter of **Putul Rabidas Vs. Eastern Coalfields Ltd.** duly affirmed by the Hon'ble Supreme Court on 9th March, 2018 in **Special Leave Petition (Civil) No. /2018 (Diary No(s). 3590/2018)** in the matter of **Eastern Coalfields Ltd. & Ors. Vs. Putul Rabidas.**
8. In Dukhni Bhuiya (supra), the Hon'ble Supreme Court did not lay down any law but passed direction upon the peculiar facts and circumstances of the said case. The order passed by the High Court was set aside.
9. In Putul Rabidas (supra), the Special Bench of this Court clearly laid down that appointment or compensation by payment of money to a female dependent of a deceased worker is automatic upon death (subject to fulfilment of the conditions in clause 9.3.4 of NCWA, insofar as appointment is concerned.) Even no application is required to be made.

10. As the Hon'ble Special Bench held that the right of the dependent to receive monetary compensation arises immediately upon the death of the employee, accordingly, the compensation ought to be paid in accordance with the said direction.
11. Be it recorded that similar direction for payment of MMCC was passed by the Court on **20-04-2026** in **WPA 7226 of 2026** in **Shyamali Mejhan vs. M/s. Eastern Coalfields Limited & Ors.** relying on the in terms of the minutes of the meeting of the Empowered Committee of Functional Directors of Eastern Coalfields Limited (4th of 2026) dated 9th February, 2026.
12. The writ petition stands dispose of.
13. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(AMRITA SINHA, J.)