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IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/184/2026

PRAVIN KUMAR TIWARI
VS
COAL INDIA LIMITED AND ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date : April 27, 2026.

Appearance:

Mr. Arif Ali, Adv.
Mr. Prabhat Kr. Srivastawa, Adv.
Mr. Supratic Roy, Adv.
Ms. Ankita Singh, Adv.
...for the petitioner

Mr. Subir Sanyal, Sr. Adv.
Mr. Shamit Sanyal, Adv.
Ms. Manika Roy, Adv.
Mr. Surojit Mukherjee, Adv.
Ms. Ankita Chowdhury, Adv.
Mr. Atanu Sur, Adv.
...for the respondents

1. The petitioner is serving in the South-Eastern Coalfields Limited. He was recommended provisionally for promotion to the post of Senior Officer (Excavation), E2 grade based on DPC held on 13th March, 2026.
2. The list of eligible candidates recommended for promotion was published on 15th March, 2026. The promotion order was to be issued subject to eligibility and up-to-date clearances along with the place of posting.
3. The petitioner is due to retire from service on superannuation on 30th April 2026.
4. It has been submitted that if the order for promotion is not made effective prior to his superannuation, he will lose financially.

5. Prayer has been made to direct the authority to give effect to the promotion list without any further delay and, more particularly, prior to the retirement of the petitioner.
6. Learned Senior Counsel representing the respondent nos.1 to 6 submit, upon instruction, that admittedly the petitioner's name appears in the list of recommended candidates for promotion against serial no.60. The seniority list was prepared in respect of seven subsidiaries of Coal India Limited. In the organization where the petitioner is serving, he is at serial no.5 in the order of promotion.
7. Though the list of recommended candidates was published on 15th March, 2026, the same could not be implemented immediately due to the Model Code of Conduct which is prevailing in the State at the moment on account of the West Bengal Legislative Elections, 2026.
8. It has been submitted that promotion will be given by maintaining the serial in the combined list of promotion. There are other employees, senior in rank to the petitioner, liable to be promoted earlier than the petitioner. The necessary clearances have been received and the list will be given effect to after consideration of all the necessary documents.
9. I have heard the submissions made on behalf of both the parties and have perused the documents placed before the Court.
10. It appears that the petitioner is indeed recommended for promotion. The list of recommended candidates was published on 15th March, 2026 and the authority intends to give effect to the same by maintaining the serial of the candidates in the list.

11. In usual course the petitioner will attain his date of superannuation on 30th April, 2026.
12. A writ of Mandamus cannot be issued commanding the respondents to give immediate effect to the list of recommended candidates. The authority is required to obtain the necessary clearances and to follow the Model Code of Conduct which is prevailing at present.
13. The authority will take steps to give effect to the list of promotion at the earliest by maintaining all formalities.
14. The writ petition, WPO/184/2026, stands disposed of.
15. All parties to act on the basis of the server copy of this order duly downloaded from the official website of this Court.
16. Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(AMRITA SINHA, J.)