

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT/301/2025
IA NO: GA/1/2025, GA/2/2025, GA/3/2026

M/S. EASTERN COALFIELDS LIMITED
VS
NAGINA BOURI AND ORS

WITH

APOT/318/2025
IA NO: GA/1/2025, GA/2/2026

NAGINA BOURI
VS
M/S EASTERN COALFIELDS LIMITED AND ORS

BEFORE :
THE HON'BLE THE MADHURESH PRASAD
-A N D-
HON'BLE JUSTICE PRASENJIT BISWAS
DATE : 14th May, 2026

Appearance:
Mr. Maik Das, Adv. (VC)
...for appellant (item no. 12/
Respondents (item 13)

Mr. Partha Ghosh, Adv.
Mr. Amal Kr. Datta, Adv.
Mr. Debashis Das, Adv.
Mr. Bratin Suin, Adv.
...for appellant (item no.13)/
Respondent (item no.12)

The Court:

In re : APOT/301/2025

The application IA NO:GA/1/2025 is for condonation of delay (49 days) in preferring the appeal.

On going through the application, we find no lack of due diligence. The delay is also miniscule. Without any objection from the respondents, the application for condonation is allowed.

In re : APOT/318/2025

The application IA NO:GA/1/2025 is for condonation of delay (77 days) in preferring the appeal.

On going through the application, we find no lack of due diligence. The delay is also miniscule. Without any objection from the respondents, the application for condonation is allowed.

We are informed by Mr. Das, learned Advocate representing the Eastern Coalfields Limited virtually, that in the present case also he is in receipt of the instructions as has been recorded today in APOT/243/2025, which reads as follows :

“In connection to the trail mail this is to inform you that the competent authority of ECL has agreed for payment of MMCC (without interest) as per the mutual consent by both the parties from the date of death of the ex-employee until she attains 60 years of age. Accordingly Medical examination for assessment of her age is also to be done this week.”

The learned Advocate representing the writ petitioners submits that he has instruction to accept the amounts in terms of the written instructions extracted above.

The learned Advocate for the Eastern Coalfields Limited at this juncture informs the Court that by way of substitution of the legal heir of the workman i.e. his

daughter, is a party to the present proceedings. The amounts due in terms of the written instructions will have to be paid to the substituted legal heir.

Let the Eastern Coalfields Limited make payment to the substituted legal heir. We expect that appropriate steps will be taken to ensure expeditious payment as per the above noted instructions, in accordance with law.

In view of the stand of the parties recorded above, nothing survives in the appeals. Pendency of the same would be futile.

The appeals along with the connected applications are disposed of accordingly.

(MADHURESH PRASAD, J)

(PRASENJIT BISWAS, J.)