IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No.7285 of 2025

1.Bhola Mahato, S/o Narayan Mahato, R/o Ismailpur, Chiraili, P.O. and P.S. Gaya, District Gaya
2.Sanichar Yadav, S/o Sohray Yadav, R/o Sinidih, P.O. Tundoo, P.S. Madhuban, District Dhanbad
3.Krishna Bhuia, S/o Late Nand Kishore Bhuia, R/o Maheshpur, Phulwatanr, P.O. Maheshpur, P.S. Madhuban, District Dhanbad

.... Petitioner(s).

Versus

1.M/s Bharat Coking Coal Limited through its Chairman cum Managing Director, office at Koyla Nagar, P.O. Koyla Nagar, P.S. Saraidhela, District Dhanbad
2.Chief Manager (P) MP & R, M/s Bharat Coking Coal Limited Koyla Nagar, P.O. Koyla Nagar, P.S. Saraidhela, District Dhanbad
3.The General Manager (PF/ Pension), M/s Bharat Coking Coal Limited Koyla Nagar, P.O. Koyla Nagar, P.S. Saraidhela, District Dhanbad
4.The General Manager, M/s Bharat Coking Coal Limited Koyla Nagar, P.O. Koyla Nagar, P.S. Saraidhela, District Dhanbad
5.The Area Manager (Personnel), Govindpur Area III, M/s Bharat Coking Coal Limited, P.O. & P.S. Govindpur, Distict Dhanbad
6.Chief Manager (Administration), Barora Area, M/s Bharat Coking Coal Limited, P.O. and P.S. Barora Area, District Dhanbad
7.Coal Mines Provident Fund through its Regional Director, Regional Office- D-II, Hirapur, P.O. and P.s. Hirapur, District Dhanbad

… Respondent(s)

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Ms. Moushmi Chatterjee, Advocate
For the Resp. Nos.1-6 : Mr. Amit Kumar Das, Advocate
Mr. Sahay Gaurav Piyush, Advocate
Mr. Siddarth Jain, Advocate
For the Res- CMPF : Mr. Prashant Kr. Singh, Advocate

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03/ 07.01.2026: Heard, learned counsel for the parties.

2. Learned counsel for the petitioners submits that they are agreeable for the condition which has been imposed in L.P.A. No.362 of 2024 in respect of exactly similarly situated employees.

3. It is the case of the petitioner that they have not been paid pension, on the ground that they have not completed 10 years of service after reinstatement.

4. It is an admitted case that their reinstatement order was passed

by the Central Government Industrial Tribunal. But due to the paraphernalia, the respondent-authorities took time for their reinstatement, thus the total period (actual date when they were reinstated to the date of their superannuation) was less than ten years. If the period is calculated from the date of order of the Tribunal, it was more than ten years.

5. Considering all these aspects in the aforesaid Letters Patent Appeal, the workmen were directed to deposit their contribution towards pension for qualifying period along with the amount, if any, under para 10(4) of the CMPS 1998 with the Bharat Coking Coal Limited. The Bharat Coking Coal Limited was further directed to forward the aforesaid amount along with their contribution to the CMPF organization. The CMPF organization, thereafter was directed to disburse the monthly pension. It may be pertinent to mention here that LPA No.362 of 2024 involve one Kailash Chandra Mukherjee & Another and the respondents herein. This case of Kailash Chandra Mukherjee and another arises out of the same award in which these petitioners are also party.

6. Thus, in my opinion the petitioners should be given the same treatment which has been given to Kailash Chandra Mukherjee and another in LPA No.362 of 2024.

7. At this stage, learned counsel appearing on behalf of the petitioners submitted that the petitioners are also agreeable to deposit their contribution towards the pension for the qualifying period along with any amount paid to them under para 10(4) of the CMPS 1998.

8. Considering the said submission, I direct the petitioners to deposit their contribution towards the pension for qualifying period along with any amount, if any, paid to them, under para 10(4) of the CMPS 1998 with Bharat Coking Coal Limited, once the said amount is deposited, the Bharat Coking Coal Limited will forward the same along with the contribution of Bharat Coking Coal Limited to the

CMPFO. CMPFO shall thereafter fix and pay the pension including the arrears to the petitioners.

9. The entire process should be concluded within a period of eight weeks from the date when the petitioners deposit their contributions.

10. With the aforesaid observations and directions, this writ petition stands disposed of.

(ANANDA SEN, J.)

07th January, 2026
R.S./
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