

WPO/1183/2024

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

JHUMI MEJHAN AND ANR.

-VERSUS-

COAL INDIA LIMITED AND ORS.

BEFORE:

The Hon'ble JUSTICE REETOBROTO KUMAR MITRA

Date : 11th September, 2026.

Appearance:

*Mr. Gobinda Kar, Adv.
...for the petitioner.*

*Mr. Syed Nurul Arefin, Adv.
...for the ECL.*

*Md. Wasim Rahaman, Adv.
Mr. Dipankar Dutta, Adv.
...for the CMPFO.*

The Court: The petitioner is aggrieved by the rejection of the application for compassionate appointment of her son-in-law along with the fact that she has not been given the Monthly Monetary Cash Compensation (hereinafter referred to 'MMCC').

The husband of the petitioner was an employee of the respondent no.1 having served for a long period of time from 1972 till his death in 1999 as a 'Loader'. Upon the death of the employee, his wife, as the direct dependent, became eligible for compassionate appointment and MMCC. She had exercised the option and nominated her son-in-law for compassionate appointment.

However, her son-in-law was found ineligible and compassionate appointment had been refused.

Presently, she prays for MMCC along with interest.

Mr. Arefin, learned Advocate appearing for the respondent authorities submits that there are two impending hurdles:

- a. The date of birth of the petitioner has not been ascertained as there is a discrepancy in the age provided in the service book of the deceased employee and in the supporting documents provided subsequently by the petitioner; and,
- b. The place of residence of the petitioner could not be conclusively ascertained nor could it be ascertained that the address provided in the writ petition is her actual place of residence.

Mr. Kar, learned Advocate appearing for the petitioner has acceded to the fact that the age of the petitioner may be reckoned in line with the age appearing in the service record of the deceased employee. He has also consented to provide all particulars establishing her place of residence as well as her identity to enable her to get the requisite compensation.

In view of the aforestated, I direct the respondent authorities to complete the entire process of ascertaining the address and identity of the petitioner within a period of ten weeks from date.

The petitioner will be entitled to interest at the rate of 6% per annum from the date of filing of the writ petition till actual payment thereof.

With the aforesaid direction, WPO/1183/2024 is disposed of without any order as to costs.

Urgent certified photostat copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Reetobroto Kumar Mitra, J.)

A/s.