

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSPETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 8044/2026

[Arising out of impugned final judgment and order dated 18-07-2025  
in MAT No. 2362/2025 passed by the High Court at Calcutta]

DEBASISH MUKHERJEE

PETITIONER(S)

VERSUS

NTPC LIMITED &amp; ORS.

RESPONDENT(S)

IA No. 116793/2026 - APPLICATION FOR PERMISSION

IA No. 18144/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENTIA No. 18142/2026 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES

Date : 08-05-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH  
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) : Petitioner-in-person (Through VC)

For Respondent(s) : Ms. Archana Pathak Dave, A.S.G.  
Mr. Kaustubh Anshuraj, AOR  
Mr. Vaibhav Dwivedi, Adv.  
Mr. Nishant, Adv.

Ms. Srija Choudhury, AOR

O R D E R

Heard the petitioner in-person, who appears through  
video conference and Ms. Archana Pathak Dave, learned  
Additional Solicitor General appearing on behalf of the  
respondents.

2. Ms. Archana Pathak Dave, learned ASG submits that

today she is carrying with her a cheque amounting to Rs.1,11,77,189/- (Rupees One Crore Eleven Lakhs Seventy Seven Thousand One Hundred and Eighty Nine). It was submitted that this is with regard to the PF amount of the petitioner. On a query of the Court, as to why the cheque in the name of the petitioner has been brought when the amount, i.e., the contribution of the employer has to go directly to the EPFO and then it was for the EPFO to start payment of whatever dues were required to be paid, including monthly pension, learned ASG submits that the petitioner has to fill up the forms for his request to be forwarded to the EPFO, which he has not done.

3. We are at a loss to understand as to what is the role of the petitioner for the simple reason that the respondent no.1-NTPC has to discharge its obligation of sending its contribution directly to the EPFO. Thereafter, only the role of the petitioner will come where he has to fill up the form and submit it to the NTPC for being forwarded to the EPFO for necessary action. In the present case, the amount which is the contribution of the NTPC in respect of the petitioner towards EPFO dues, being sought to be given to the petitioner by way of a cheque, appears to be irregular and erroneous.

4. Be that as it may, an organization like NTPC cannot be given the benefit of doubt of being under any misconception and if at all, there is misconception, it shows the NTPC in a poor light with regard to its dealing

with its employees.

5. In that view of the matter, we direct the Director (Accounts), NTPC to be physically present in the Court to show cause as to why the Court may not fix responsibility directly on him and the Chairman for treating such matters, which are of utmost importance to a superannuated employee, are treated so casually by their organization. They have to take responsibility for lapses of the organization. We make it clear that this matter is being heard for almost three months and still there being no solution coming, shows that the NTPC has taken the proceedings lightly.

6. Be that as it may, we reserve our final opinion for the next date.

7. The matter be listed at the top of the Board on 18.05.2026.

8. If by that date all issues are finally settled between the parties, the Director (Accounts), NTPC, may not appear and is permitted to file his affidavit only.

(POOJA SHARMA)  
AR-CUM-PS

(ANJALI PANWAR)  
ASSISTANT REGISTRAR