REVISED

ITEM NO.28 COURT NO.11 SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).29618/2026

[Arising out of impugned final judgment and order dated 03-08-2026 in MAT No. 1207/2026 passed by the High Court at Calcutta]

THE EASTERN COALFIELDS LIMITED Petitioner(s)

VERSUS

MADHUSUDAN THAKUR & ORS. Respondent(s)

IA No. 252993/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 17-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For Petitioner(s) Mr. Vikramaditya, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. The respondent No.1 has preferred a Writ Petition challenging the notice dated 20.09.2025 issued by the petitioner, informing him that he will attain the age of superannuation on 30.06.2026.

2. Since, according to the respondent No.1, this notice was issued basing on his incorrect date of birth in the service record, he preferred a Writ Petition seeking change

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Date: 2026.11.20 15:39:49 IST
Reason:

in date of birth, and subsequently, he moved an interim application seeking stay of the notice of superannuation.

3. Learned Single Judge of the High Court, *vide* its order dated 02.07.2026, stayed the superannuation notice, against which, the petitioner preferred a Writ Appeal, and the Division Bench, under the impugned order, has modified the order to the extent that the petitioner shall have the right to restitution of the amount that may be paid to the respondent No.1 as a consequence of the Single Judge's order, in the event they succeed in the litigation.

4. When this Special Leave Petition came up for hearing on 02.09.2026, this Court had stayed the order passed by the learned Single Judge and the Division Bench, under which the notice of superannuation was stayed.

5. However, it is to be seen that during the pendency of the Writ Petition, the respondent No.1 has already attained the age of superannuation as on 30.06.2026.

6. In view of the above, we dispose of the Special Leave Petition directing that the Writ Petition preferred by the respondent No.1 be decided on its own merits, and if any Contempt Petition has been preferred by the respondent No.1 alleging violation of the Single Judge's order dated 02.07.2026, the same shall remain stayed till the Writ Petition is decided by the learned Single Judge of the High Court.

7. Pending application(s), if any, shall stand disposed of.

(MINI)
COURT MASTER (SH)

(ANU BHALLA)
COURT MASTER (NSH)

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application seeking stay of the notice of superannuation.

3. Learned Single Judge of the High Court, *vide* its order dated 02.07.2026, stayed the superannuation notice, against which, the petitioner preferred a Writ Appeal, and the Division Bench, under the impugned order, has modified the order to the extent that the petitioner shall have the right to restitution of the amount that may be paid to the respondent No.1 as a consequence of the Single Judge's order, in the event they succeed in the litigation.

4. When this Special Leave Petition came up for hearing on 02.09.2026, this Court had stayed the order passed by the learned Single Judge and the Division Bench, under which the notice of superannuation was stayed.

5. However, it is to be seen that during the pendency of the Writ Petition, the respondent No.1 has already attained the age of superannuation as on 30.06.2026.

6. In view of the above, we dispose of the Special Leave Petition directing that the Writ Petition preferred by the respondent No.1 be decided on its own merits, and if any Contempt Petition has been preferred by the respondent No.2 alleging violation of the Single Judge's order dated 02.07.2026, the same shall remain stayed till the Writ Petition is decided by the learned Single Judge of the High Court.

7. Pending application(s), if any, shall stand disposed of.

(MINI)
COURT MASTER (SH)

(ANU BHALLA)
COURT MASTER (NSH)