

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 2007 of 2025

Vijay Sharma, aged about 60 years, Son of Late Vishnu Sharma, Resident of Qtr. No. A1/315 Koyla Nagar, P.O.-Koyla Nagar, P.S.-Seraidhela, Dist: Dhanbad, Jharkhand.

... ... Petitioner(s)

Versus

1. M/s Bharat Coking Coal Limited, a subsidiary of Coal India Limited, through its Chairman-cum-Managing Director, having its registered office at Koyla Bhawan, P.O. Koyla Nagar, P.S.- Seraidhela, Dist: Dhanbad, Jharkhand.

2. The Chairman cum Managing Director, M/s Bharat Coking Coal Limited office at Koyla Bhawan, P.O.-Koyla Nagar, P.S.-Seraidhela, Dist: Dhanbad, Jharkhand.

3. The Director (Personnel), M/s Bharat Coking Coal Limited office at Koyla Bhawan, P.O.-Koyla Nagar, P.S.-Seraidhela, Dist: Dhanbad, Jharkhand

4. General Manager (P & I R), M/s Bharat Coking Coal Limited office at Koyla Bhawan, P.O.- Koyla Nagar, P.S.-Seraidhela, Dist: Dhanbad, Jharkhand

5. General Manager (P)/NEE, M/s Bharat Coking Coal Limited office at Koyla Bhawan, P.O.- Koyla Nagar, PS-Seraidhela, Dist: Dhanbad, Jharkhand

6. Sr. Manager (Personnel/Establishment), M/s Bharat Coking Coal Limited office at Koyla Bhawan, P.O.- Koyla Nagar, P.S.- Seraidhela, Dist: Dhanbad, Jharkhand

... ... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. Raj Nandan Chatterjee, Advocate
For the Respondent(s) : Mr. Arpan Mishra, Advocate

Order No.06 /Dated: 30th April 2025

The instant writ application has been preferred by the petitioner for the following reliefs:

“a. For issuance of an appropriate writ/writs, order/orders/ direction/directions for directing the respondents to pay the outstanding arrears which is still due after payment of a lump-sum amount from the period starting from 1st of November, 2020 till the reinstatement of the petitioner with other consequential benefits which has not been paid so far by the respondents.

b. For issuance of an appropriate writ/writs, order/orders/ direction/directions commanding upon the respondents to correct the Basic Wages which has been wrongly fixed of NCWA-XI as on 1st July, 2021 as Rs. 53,525.38 (Rs. 79,540.16 as fixation of NCWA) instead of Rs. 55,135.25 (Rs. 81,926.35 as per fixation of NCWA).

c. For issuance of appropriate order/direction upon the respondents to immediately and forthwith make the outstanding payment of Quarterly Bonus, Yearly Bonus, Incremental Benefits, Promotion and SLP and other consequential benefits as per the order of this Hon'ble High Court.

And/or

For any other relief/reliefs, order/orders as Your Lordships may deem fit and proper in the present facts and circumstances of this case."

2. Learned counsel for the petitioner submits that the respondents may be directed to correct the basic wage which has been wrongly fixed as per NCWA-XI as on 01.07.2021. He submits that though as per NCWA-XI as on 01.07.2021, the petitioner was entitled for Rs. 55,135.25/-, however, he has received only Rs. 53,525.38/-. As such, he submits that the respondents may be directed to correct the anomaly and pay the admitted dues for which the petitioner is entitled to.
3. Learned counsel for the respondents submits that since no counter affidavit is filed; as such the instant writ application may be disposed of by directing the petitioner to file a fresh representation before the 3rd Respondent.
4. Having regard to the aforesaid submission, the instant writ application is hereby disposed of by directing the 3rd Respondent to treat this writ application as representation and take a decision in the matter after verification of record by passing a reasoned and speaking order. The petitioner is directed to serve a copy of the writ application to the 3rd Respondent who will pass the order in accordance with law and applicable rules and regulation within a period of 16 weeks from the date of receipt of such representation.

(Deepak Roshan, J.)

Amit