

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8975 OF 2019
(@ SLP (CIVIL) NO.33076 OF 2014)

GENERAL MANAGER MUGMA AREA, EASTERN COALFIELDS LTD. .. Appellant (s)

Versus

SMT. KABITA BHUINYA & ORS. .. Respondent(s)

O R D E R

Leave granted.

The Respondent No.1's husband was an underground loader in Kapasara Colliery, Mugma Area, Eastern Coalfields Limited, District Dhanbad. He was dismissed from service for unauthorized absence on 24.11.1999. He died on 22nd July, 2005. The said Respondent filed a writ petition in the High Court challenging the order of dismissal and seeking compassionate appointment. The writ petition was allowed on 20th June, 2013. The order of dismissal was set aside and Respondent No.1 was directed to be given compassionate appointment

within a period of three months. The judgment in the writ petition was upheld by a Division Bench of the High Court.

The Management has filed the above appeal questioning the correctness of the judgment of the High Court.

In spite of service of notice, Respondent No.1 has not entered appearance.

The learned counsel appearing for the appellant submitted that Respondent No.1 accepted an amount of Rs.5,97,093.10/- towards full and final settlement of her claim. We directed the learned counsel to file an affidavit given by Respondent No.1 to the effect that her claim has been settled. An affidavit sworn by Respondent No.1 before Executive Magistrate in Dhanbad on 30.10.2019 in which she stated that she has received the amount mentioned above towards full and final settlement, has been placed on record.

No further order need be passed and the appeal stands disposed of in terms of the settlement between the parties. Pending application(s) also stand disposed of.

.....J.
(L. NAGESWARA RAO)

.....J.
(HEMANT GUPTA)

New Delhi,
Dated:November 22, 2019

ITEM NO.41

COURT NO.11

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).33076/2014

(Arising out of impugned final judgment and order dated 25-08-2014 in APOT No.589/2013 passed by the High Court At Calcutta)

GENERAL MANAGER MUGMA AREA, EASTERN COALFIELDS LTD. Petitioner(s)

VERSUS

SMT. KABITA BHUINYA & ORS.

Respondent(s)

Date : 22-11-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Kaustubh Shukla, AOR
Mr. Abhay Singh, Adv.
Ms. Ankita Agarwal, Adv.
Ms. Akansha Rai, Adv.
Ms. Apeksha Rai, Adv.
Ms. Nischal Gupta, Adv.

For Respondent(s)

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

Leave granted.

The appeal stands disposed of in terms of the Signed Order. Pending application(s) also stand disposed of.

(GEETA AHUJA)
COURT MASTER (SH)

(ANAND PRAKASH)
BRANCH OFFICER

(The Signed Order is placed on the file)