

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12659 of 2016

=====

Phulan Devi W/o Late Kapildeo Tanti, Resident of Village- Nekpur, Police Station- Chhabilapur, District- Nalanda at Present C/o Shrawan Prasad Tangti at Village- Dhobi, Police Station- Dhobi, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary.
2. The Principal Secretary, Department of Finance, Bihar.
3. Oriental Insurance Company through its Divisional Manager, Oriental Insurance Company Ltd., Gaya.
4. The Divisional Manager, Oriental Insurance Company Ltd., Gaya.
5. The Deputy Manager, Oriental Insurance Company Ltd., Regional Office, Pirmuhani Kadamkuan, Patna.
6. The District Magistrate, Patna.
7. Sri Rakesh Sharma S/o Sri Dharmpal Sharma, R/o House No. 8L Station Road, Gosain Bagh, Ward No.14, P.S.- Kotwali, District- Gaya.
8. Bihar Electricity Board (New South Bihar Power Distribution Company), Bailey Road, Patna through its Secretary.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Uma Shankar Sharma, Advocate

For the Respondent NOS. 3, 4 & 5

Mr. Ashok Priyadarshi, Advocate

For respondent no. 8

Mr. Prakash Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 15-05-2017

In the present writ application, the petitioner has sought a direction to be issued to the respondent to pay the amount of Rs.3,41,235/- as compensation awarded by the Deputy Labour Commissioner-cum-Commissioner Workmen Compensation Court, Magadh Division, Gaya in CWC No. 19 of 2009.

The petitioner approached before the court of Deputy Labour Commissioner-cum-Commissioner, Magadh



Division Gaya in CWC No. 19 of 2009. The Deputy Labour Commissioner-cum-Commissioner, Magadh Division Gaya, vide order dated 24.10.2011 directed respondent nos. 3 and 4 to pay compensation amount of Rs.3,41,235/- to the petitioner within 30 days, failing which the petitioner was made entitled for eight per cent interest per annum on the said compensation amount.

Being aggrieved by the aforesated order dated 24.10.2011, the Oriental Insurance Company filed an appeal before this Court vide Misc. Appeal No. 583 of 2012 after depositing the entire amount as per statute, which has already been dismissed on 23.09.2014 as would be evident from Annexure-2 to the writ application itself.

Apparently, the petitioner has not availed of the statutory remedy provided under Section 31 of the Workmen's Compensation Act. In that view of the matter, I am not inclined to entertain the present application in the extraordinary writ jurisdiction.

Accordingly, the writ application is dismissed.

(Ashwani Kumar Singh, J.)

Kanchan/-

U			
---	--	--	--

